

September 15, 2015

Via Hand Delivery

Homer Rhodes  
City of Weslaco  
Purchasing Department  
255 S. Kansas  
Weslaco, Texas 78596



Re: RFQ. 2014-15-32, City Attorney/Legal Services

Our firm Beatty Bangle Strama (“BBS”) is responding to the City of Weslaco’s Request For Qualifications. The following package contains information and documents responsive to RFQ NO. 2014-15-32. Attached please find the following:

1. Statement of Qualifications
2. Personal Resume for Eddie Lucio III
3. Anti-Collusion Certification
4. Conflict of Interest Questionnaire
5. W-9, Taxpayer Identification Number and Certification
6. Copy of BBS Lawyers Professional Liability Coverage (“Malpractice Insurance”)
7. Bios for BBS shareholders

Thank you for your time and consideration. Please do not hesitate to contact our office if you have any questions.

Sincerely,

*Eddie Lucio III*

Eddie Lucio III

## Statement of Qualifications

Our firm Beatty Bangle Strama (“BBS”) submits its statement of qualifications in response to RFQ No. 2014-15-32. Our firm has offices in Austin and the Rio Grande Valley. Our Rio Grande Valley office is managed by Eddie Lucio III who would serve as the point of contact and primary attorney to serve the legal needs of the City of Weslaco (“City”). BBS has several attorneys with a wide range of experience suited to provide high quality legal services to the City. Our website, [www.bbsfirm.com](http://www.bbsfirm.com), is a great source for information about our firm. We have attached a copy of our attorneys’ bios and Mr. Lucio’s personal resume for your reference.

BBS has experience representing various municipal and other local forms of government on a variety of matters. Currently, Mr. Lucio serves as the City Attorney for the City of Rio Hondo and has served in that capacity since 2010. In addition, our firm has experience representing other forms of local government, including but not limited to, counties, municipal utility districts, irrigation districts, water supply corporations, special utility districts, navigation districts, water authorities and drainage districts. These entities are subject to many of the same laws that govern municipalities in Texas.

Our firm has assisted clients, to varying degrees, with all of the services included in the scope of your request for qualifications. We have worked with our municipal and other local government clients on a variety of legal matters, including but not limited to, serving as the municipal prosecutor, presiding as legal counsel during commission meetings, responding to open records requests, ensuring compliance with the Open Meetings Act, resolving employment matters, assisting with procurement processes, assisting with annexation process, drafting ordinances and resolutions, drafting interlocal agreements, contract review, providing briefings on changes to election laws, providing briefings on 4a and 4b economic development corporation laws and various other matters. Currently, we have not found a conflict of interest regarding our representation of the City of Weslaco.

Responding to our clients needs has been a top priority of our firm. As your attorneys, you will have our personal cell numbers and any other information you may need in order to contact us. If Mr. Lucio is not available on short notice, we have other partners and associates in the firm who will be available to promptly assist you. In addition, we will also provide you with weekly progress reports for any work assigned to our firm that is pending completion.

Our work schedule and approach to project management varies depending on the client and their needs. It is our intent to provide specific guidance to city staff assigning our firm projects. That guidance will include a standard to submit requests and a timeframe for completion. If we cannot meet the timeframe to complete the requested services due to the complexity of the issues involved, we will immediately contact the assigning party and work on a mutually agreeable

deadline. It is our experience that setting a timeframe and specific scope for the request helps manage the needs of the client and the demands of our firm.

Given our size, we have the capacity to conduct thorough legal research of topics that may be requested by the City. It is our practice to provide comprehensive reports when requested to assist clients with their deliberations.

As per item 9 of your information request, BBS proposes to provide legal services to the City at an hourly rate of \$200. This option will not include the need for a retainer. This is inclusive of travel and any other expenses that are not preapproved by the City. If the City anticipates a high volume of work and would prefer to pay a retainer, we would propose a retainer amount in the range of \$3,000 - \$4,000. As an alternative, based on the amount of the anticipated workload, we would propose a fixed monthly rate at a range of \$5,000 - \$7,000. These rates would be standard for all attorneys in our firm. We bill \$80 an hour for services provided by our paralegals.

BBS, by submitting this proposal, certifies that to the best of our knowledge or belief, no elected or appointed official of the City is financially interested, directly or indirectly, in our firm or in the purchase of services as described in this RFQ. We also certify that the information contained in the Statement of Qualifications is correct and complete to the best of our knowledge.

Thank you so much for your consideration. Please do not hesitate to contact our offices if you have any additional questions.

**Firm Info:**

Beatty Bangle Strama  
1805 E Ruben Torres Blvd  
Brownsville, TX 78521

**Shareholder Attorneys:**

Shannon Bangle  
Matthew Beatty  
Keith Strama  
Leah Stewart

**References:**

Scott Houston  
Deputy Executive Director and General Counsel  
Texas Municipal League  
1821 Rutherford Lane  
Austin, TX 7854  
512-231-7400

John Bruciak  
CEO/General Manager  
Brownsville Public Utilities Board  
1425 Robinhood Drive  
Brownsville, TX 78521  
956-983-6100

Mark A. Vega, P.E.  
General Manger  
McAllen Public Utilities Board  
1300 Houston Avenue  
McAllen, TX 78501  
956-681-1630

Ben Medina, Jr.  
City Administrator  
City of Rio Hondo  
121 N. Arroyo Blvd.  
Rio Hondo, TX 78583  
956-748-2102

Julio Cerda  
Executive Administrator  
Agua Special Utility District  
3120 N Abram Rd  
Palmview, TX 78572  
956-585-2459

Carlos Galvan  
General Manager  
Laguna Madre Water District  
105 Port Rd  
Port Isabel, TX 78578  
956-943-8078

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# EDDIE LUCIO III

1805 E. Ruben Torres Blvd., Suite B27, Brownsville, TX, 78521

|| (956) 280-5405 || elucio@bbsfirm.com

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## PROFESSIONAL EXPERIENCE

### BEATTY, BANGLE, STRAMA, P.C.

March 2014 – Present

*Of Counsel – Rio Grande Valley*

- Manage the firm's Rio Grande Valley offices
- Represent various public entities such as counties, municipal utility districts, irrigation districts, water supply corporations, special utility districts, navigation districts, water authorities and drainage districts
- Negotiate and drafted interlocal agreements between governmental entities
- Assist with application and financing of government projects
- Draft various types of easement documents
- Negotiate water and land use contracts for individuals, local government entities, and private businesses
- Guide clients through state and federal regulatory processes
- Provide clients with various general litigation representation
- Preside over local government meetings subjected to the open meetings and open records laws of the State of Texas

### THE LUCIO III GROUP, PLLC

Aug 2009 - Present

*Partner/Founder*

- Act as City Attorney for the City of Rio Hondo.
- Prosecute municipal court cases
- Provide government entities with litigation management
- Assist employers with various employment law matters
- Counsel clients through a variety of family law matters including divorce, child custody, division of assets, and parent facilitation
- Represent clients in matters of probate, including ad litem services for minors and the incapacitated
- Serve as local bond counsel for the issuance of bonds for Cameron County and Cameron County Regional Authority
- Manage commercial business law and litigation practice including personal injury, insurance defense, and contract review

### RODRIGUEZ & NICHOLAS, LLP

May 2008 - July 2009

*Associate*

- Provided legal counsel for clients in the areas of real estate, civil litigation, general commercial and employment law
- Served in a general counsel capacity for clients in the medical profession
- Represented real estate development clients in front of local boards and commissions

### MINTER, JOSEPH & THORNHILL

Aug 2006 – April 2008

*Associate*

- Assisted with the litigation of cases in county and district courts
- Served as an ad litem in both civil and tax suits
- Resolved conflicts as a mediator between opposing parties using alternative dispute resolution methodology
- Advocated on behalf of clients in front of the Department of Labor, board of adjustments, zoning committees and city commissions

## PUBLIC SERVICE EXPERIENCE

### TEXAS STATE REPRESENTATIVE - DISTRICT 38

*Currently serving in 5<sup>th</sup> term*

- Current Committees - Vice Chairman of the House Calendars Committee, member of Natural Resources Committee, a member of Land and Resource Management
- Past Committees- Environmental Regulation, State Affairs, Appropriations, Government Efficiency & Reform, Special Purpose Districts and Federalism & Fiscal Responsibility
- Legislative Accomplishments – author of uniform ocean desalination bill, author of “Don’t Mess with Texas Water” legislation, author of Medicaid program for child with special needs, author of fire flow safeguards for some municipal water suppliers, author of legislation for the protection of sharks, joint author of the SWIFT water funding legislation, joint author of legislation creating UT RGV and joint author 84<sup>th</sup> legislature border security omnibus bill

## **MEMBERSHIPS**

- National Association of Latino Elected and Appointed Officials, National Conference of State Legislators, National Hispanic Caucus of State Legislators, Council of State Governments, Border Legislative Conference, Mexican American Legislative Caucus, Manufacturers Caucus, Women's Health Caucus, Tourism Caucus, House Energy Caucus, Veterans Caucus, Farm-to-Table Caucus, Texas Rural Water Association and Texas Water Conservation Association

## **AWARDS**

- Twice Awarded the "Best of the Texas House" Award – Combined Law Enforcement Associations of Texas, Legislator of the Year Award for Legislative Excellence – Texas Public Health Association, Champion of Rural Water- Texas Rural Water Association, Toll Fellow-Council of State Governments and Legislator of the Year – Humane Society of Texas

## **EDUCATION**

**Texas Tech University, Lubbock**

**1997-1999**

**University of Texas at Austin**

**1999-2005**

Bachelor of Business Administration, Marketing, Class of 2001.

Doctorate of Jurisprudence, Class of 2005.

**RFP NO. 2014-15-32**  
**CITY ATTORNEY/LEGAL SERVICES**

**ANTI-COLLUSION CERTIFICATION**

By submission of this proposal, the Proposer certifies that:

1. This request for qualifications has been independently arrived at without collusion with any other Proposer or with any competitor;
2. This request for qualifications has not been knowingly disclosed and will not be knowingly disclosed, prior to the opening of proposals for this project, to any other proposer competitor or potential competitor;
3. No attempt has been or will be made to induce any other person, partnership or corporation to submit or not to submit a proposal;
4. The person signing this request for qualifications certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties being applicable to the proposer as well as to the person signing in its behalf.

Date Submitted:

9/15/2015

Company Name:

Beatty Bangle Strama, PC

Authorized Signature:

Eddie Lucio III

Type Signatory's Name:

Eddie Lucio III

Signatory's Title:

Manager, Rio Grande Valley Office

Company Address:

1805 E. Ruben Torres Blvd., Suite B-27

City/State/Zip Code:

Brownsville, Texas 78521

Agent Name:

Not Applicable

Agent Address:

Not Applicable

Phone Number:

Not Applicable

Fax Number:

Not Applicable

# CONFLICT OF INTEREST QUESTIONNAIRE

For vendor or other person doing business with local governmental entity

FORM  
CIQ

This questionnaire reflects changes made to the law by H.B. 1491, 80<sup>th</sup> Leg., Regular Session.

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

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7<sup>th</sup> business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, local Government Code. An offense under this section is a Class C misdemeanor.

### OFFICE USE ONLY

Date Received

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

None

**2**  Check this box if you are filling 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 7<sup>th</sup> business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

**3** Name of local government officer with whom filer has employment or business relationship.

None

Name of Officer

This section, (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001 (1-a), Local Government Code. Attach additional pages to this form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

Yes  NA No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

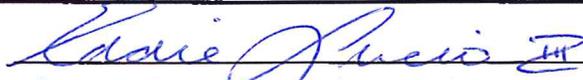
Yes  NA No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes  NA No

D. Describe each employment or business relationship with the local government officer named in this section.

**4**



Signature of person doing business with the governmental entity

9/15/2015

Date

## Request for Taxpayer Identification Number and Certification

Give Form to the  
 requester. Do not  
 send to the IRS.

Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return) <b>Beatty Bangle Strama PC</b>	
	Business name/disregarded entity name, if different from above	
	Check appropriate box for federal tax classification: <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input checked="" type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate  <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____  <input type="checkbox"/> Other (see instructions) ▶ _____	Exemptions (see instructions):  Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____
	Address (number, street, and apt. or suite no.) <b>400 W. 15th Street, Suite 1450</b> City, state, and ZIP code <b>Austin, Texas 78701</b> List account number(s) here (optional)	Requester's name and address (optional)

### Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

**Note.** If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number									
Employer identification number									
2	0	-	5	4	8	9	4	8	1

### Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below), and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶ <b>1-13-15</b>
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### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** The IRS has created a page on [www.irs.gov/w9](http://www.irs.gov/w9) for information about Form W-9, at [www.irs.gov/w9](http://www.irs.gov/w9). Information about any future developments affecting Form W-9 (such as legislation enacted after we release it) will be posted on that page.

### Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, payments made to you in settlement of payment card and third party network transactions, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the

withholding tax on foreign partners' share of effectively connected income, and

4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct.

**Note.** If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.



**LAWYERS PROFESSIONAL LIABILITY COVERAGE  
DECLARATIONS**

POLICY NO. 105370439

**Travelers Casualty and Surety Company of America  
Hartford, CT 06183**

(A Stock Insurance Company, herein called the Company)

**Important note: This is a claims-made policy. To be covered, a claim must be first made against an insured during the policy period or any applicable extended reporting period.  
The limit of liability available to pay settlements or judgments will be reduced by defense expenses. The deductible applies to defense expenses.**

This policy is composed of the Declarations, the Professional Liability Coverage, the Professional Liability Terms and Conditions, and any endorsements attached thereto.

<b>ITEM 1</b>	<b>NAMED INSURED:</b> BEATTY BANGLE STRAMA, PC  Principal Address: 400 WEST 15TH STREET, SUITE 1450 AUSTIN, TX 78701
<b>ITEM 2</b>	<b>POLICY PERIOD:</b> Inception Date: November 8, 2014      Expiration Date: November 8, 2015 12:01 A.M. standard time both dates at the Principal Address stated in ITEM 1.
<b>ITEM 3</b>	ALL NOTICES PURSUANT TO THE POLICY MUST BE SENT TO THE COMPANY BY EMAIL, FACSIMILE, OR MAIL AS SET FORTH BELOW:  Email: PLclaims@travelers.com  FAX: 888-460-6622  Professional Liability Claims Manager Travelers Bond & Financial Products 385 Washington Street, MC 9275-NB08F St. Paul, MN 55102
<b>ITEM 4</b>	COVERAGE INCLUDED AS OF THE INCEPTION DATE IN ITEM 2:  Lawyers Professional Liability Coverage



**ITEM 9**

**FORMS AND ENDORSEMENTS ATTACHED AT ISSUANCE:**

PTC-1001-1108; LPL-1001-1108; PTC-3043-1108; PTC-2035-1108; PTC-2067-0411

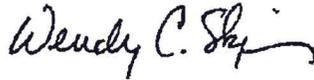
**The Declarations, the Professional Liability Terms and Conditions, the Professional Liability Coverage, and any endorsements attached thereto, constitute the entire agreement between the Company and the Insured.**

\_\_\_\_\_  
Countersigned By

IN WITNESS WHEREOF, the Company has caused this policy to be signed by its authorized officers.



Executive Vice President



Corporate Secretary

## Firm Overview

Matt Beatty, Shannon Bangle and Keith Strama founded BBS in 2006 with the stated objective of building a law firm that provides clients with practical and straight-forward legal representation with a rate structure appropriate for an evolving business environment. As it grows, BBS remains committed to its core principles by advancing innovative and pragmatic solutions reflective of its lawyers' experience, education and business-building approach.

## Firm Attorneys



## Matt Beatty SHAREHOLDER

Matthew "Matt" R. Beatty is a trial lawyer who represents business entities and individuals in a broad spectrum of commercial contexts. In addition to his extensive litigation practice, Matt represents clients in business formation, risk assessment, and litigation prevention. Matt understands that litigation and risk management involve business decisions to be made by business people. As a business lawyer, Matt makes it his priority to provide his clients with legal representation that facilitates and advances their business interests.

### REPRESENTATIVE EXPERIENCE

*Business & Commercial Litigation.* Matt represents individuals and business entities in contract disputes, shareholder and partnership disputes, fiduciary relations, corporate fraud and deceptive trade practices. Examples include:

- Representation of clients in business dissolution disputes.
- Representation of clients in catastrophe mitigation and disaster recovery industry.
- Enforcement of non-competition agreements with former employees and business partners.
- Representation of clients evaluating and assessing risk of business transactions.

*Construction.* Matt represents general contractors, developers, subcontractors and design professionals in all aspects of the construction business. Examples include:

- Representation of clients regarding disputes involving scope of work, warranty, payment and delay claims in commercial construction projects.
- Representation of general contractors and subcontractors in construction defect disputes in commercial, residential and multi-family contexts.
- Representation of clients in construction contract negotiations.
- Mechanic's liens.
- Insurance and indemnities.

*Real Estate.* Matt represents clients in matters relating to the sale, acquisition and leasing of commercial and residential property. He also represents property owners and property management firms in landlord-tenant disputes. Examples include:

- Representation of buyers and sellers of real property in disputes over "reps and warranties".
- Representation of clients seeking and defending claims for specific performance.
- Representation of clients in commercial and residential leasing disputes and contract negotiations.



*Automotive Industry.* Matt has extensive experience representing automobile manufacturers and dealers in all aspects of the industry. Examples include:

- Defense of automobile manufacturers in warranty disputes, deceptive trade practices, and products liability claims.
- Representation of clients in disputes relating to manufacturer and dealer relations.
- Representation of clients before the Texas Department of Transportation.
- Design, implementation and management of a national pre-litigation dispute resolution program for a major automobile manufacturer.
- Regulatory compliance.
- Special counsel for class-action litigation relating to diesel engines.

#### PROFESIONAL QUALIFICATIONS & EDUCATION

Admitted to State Bar of Texas, 1997.

Admitted to practice before the following courts:

- U.S. District Courts for the Western and Southern Districts of Texas.
- U.S. Court of Appeals, Fifth Circuit.

Education: Mr. Beatty was an honors graduate of Texas Tech University in December 1993 with a B.A. in Finance. He graduated from South Texas College of Law with honors in May 1997. While at South Texas, he was a member of the South Texas Law Review, the national moot court team, and a repeat intramural mock trial champion. As a member of the national moot court team, he won a national championship in oral advocacy at the University of Connecticut and was a finalist at the First Amendment Forum tournament at Vanderbilt University. Mr. Beatty was also admitted to the Order of Lytae and the Order of Barristers.



## Shannon Bangle SHAREHOLDER

Shannon Bangle is a litigator whose business and commercial litigation practice is broad in scope, but centers on business and partnership disputes, construction, contract disputes, sports law, commercial leasing, lending and banking, energy, environmental torts and technology. Shannon also consults with and advises his business and individual clients on a continual basis regarding the legal ramifications of their everyday business decisions.

Shannon's clients are located in a variety of industries, including construction, real estate development and technology, professional sports, oil and gas production and technology. He has been recognized by Texas Monthly as a "Texas Rising Star" in business litigation.

### REPRESENTATIVE EXPERIENCE

*Business and Commercial Litigation.* Shannon's practice involves a broad array of business legal issues and disputes ranging from contract and fiduciary breaches to improper lending practices and everything in between. Examples include:

- Representation related to banking, fair lending, fraudulent lending activities and usury. Representation of claimants related to improper commercial lending practices.
- Representation related to insurance company/agent disputes.  
Representation regarding claims related to improper commission payment and breach of agent agreements.
- Representation of restaurants and grocery stores.
- Representation of owners related to business partnership disputes, commercial leasing negotiation and litigation and landlord/tenant negotiation and litigation.
- Representation related to employment agreements including non-compete and non-disclosure agreements.
- Representation of professional sports governing authorities concerning member suits, competing authority disputes, licensing disputes and various day to day matters.
- Representation of businesses and individuals regarding all aspects of contract breach claims.

*Construction.* Shannon represents both general contractors and sub-contractors. Examples include:

- Representation of general contractors, sub-contractors and builder/developers in all aspects of construction and development claims and disputes.
- Warranty issues, scope of work, delay claims, defect disputes, contract negotiations, liens, indemnities and local authority negotiation.

*Real Estate/Development.* In addition to construction claims, Shannon also works in the real estate and development arena. Some of his representative work includes:

- Representation relating to commercial leasing, sales and construction disputes for both landlords and tenants.  
Lease termination, litigation, build out disputes, lease drafting, eviction, consultation regarding lease rights and obligations.
- Representation related to real estate development including both litigation and formation.  
Defense and prosecution of land development disputes, joint ventures disputes, breach of development contracts and breach of fiduciary duties.
- Representation related to broker/agent real estate disputes.  
Defend and prosecute real estate broker/agent claims.

*Energy.* Shannon has extensive experience related to energy litigation. Examples include:

- Representation related to oil and gas production payments and disputes.  
Defense and prosecution related to claims of royalty underpayment, lease termination, failure to develop and pooling.
- Representation related to oil and gas surface and sub-surface damages and disputes.  
Defense and prosecution of claims related to contamination, surface damage, remediation, diminution of land value, water contamination and obligations of operators and surface owners.

*Sports Law.* Shannon has continued to grow his sports law practice every year. Examples include:

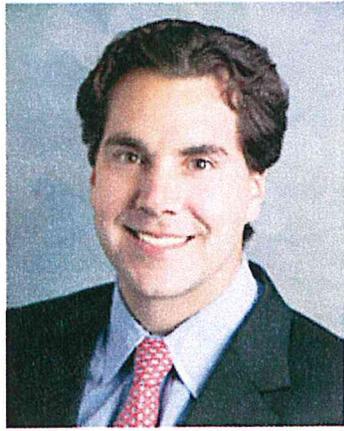
- Representation of professional sports governing bodies.
- Litigation involving a range of matters and consultation concerning day to day business decisions.

## EDUCATION AND PROFESSIONAL BACKGROUND

- Beatty Bangle Strama P.C. (Shareholder 2006- Present)
- McGinnis, Lochridge & Kilgore, L.L.P. (Associate 2000-2005, Partner 2006)
- The University of Texas School of Law, J.D. 1998
- University College, London, International Law Program, 1997
- Southern Methodist University, B.A. 1995 (magna cum laude, Phi Beta Kappa)
- Admitted to Practice: Texas, 1998
- Admitted to United States District Courts for the Northern, Southern, Eastern and Western Districts of Texas

## ACTIVITIES AND AFFILIATIONS

LBJ Future Forum, Founding Board Member, Advisory Board Member



## Keith Strama SHAREHOLDER

Keith Strama represents clients from diverse industries before the Texas Legislature and state agencies on public policy and regulatory matters. He works closely with clients in the areas of energy, insurance, telecommunications, education technology, environmental regulation, health care and direct marketing. He has been involved with candidates and campaigns in local, statewide, legislative, and congressional races. Based on his experience working with candidates and campaigns, Keith is able to inform and advise clients regarding political action committee contributions and other political and legislative activities. In addition to his extensive work with the Texas Legislature, Keith works closely with state agencies with regard to regulatory matters. Keith has experience working with numerous agencies, including the Texas Alcoholic Beverage Commission, the Texas Commission on Environmental Quality, the Texas Railroad Commission, the Texas Department of Insurance, the Texas Medical Board, Texas Department of State Health Services, Texas Health & Human Services Commission, Texas Attorney General, Texas Comptroller, Texas Education Agency, and the Texas Ethics Commission. Keith has also worked on various commercial trial cases.

### REPRESENTATIVE EXPERIENCE

#### *Legislative*

- Representation of major oil and gas company in drafting and enacting legislation relating to royalty reporting. This legislation has become a model for states throughout the country.
- Representation of association of travel agents to modify franchise tax law to ensure travel agents are not adversely affected by new business tax.
- Representation of independent insurance agents in Texas related to drafting revisions to major insurance reform legislation to ensure a balance between consumer protection and the need to maintain a competitive insurance industry in Texas.
- Obtained financial relief for shrimp industry in Texas through legislation designed to help struggling industry.
- Representation of major financial company in drafting and enacting legislation that regulates wire transfers in Texas.
- Obtained exemption for Texas camps from law prohibiting use of certain vehicles in riverbeds.
- Representation of major oil and gas client in drafting and enacting legislation relating to taxation of fuels in Texas.
- Representation of client in drafting and enacting legislation that provided tax relief to homeowners whose property had been damaged due to natural disaster.



- Representation of freestanding emergency center in successful legislative effort to enact legislation setting standards for licensing.

#### *Administrative Law*

- Obtained very favorable settlement for large restaurant chain facing penalties from the Texas Alcoholic Beverage Commission.
- Representation of large financial company in obtaining favorable ruling from the Texas Attorney General's office protecting valuable trade secret information.
- Representation of large vendor at airports in obtaining permits from Texas Alcoholic Beverage Commission.
- Work on rule drafting for licensing of freestanding emergency health center by the Department of State Health Services.

#### *Litigation*

- Participation in various commercial trial cases concerning oil and gas disputes and construction law.
- Preparation of Amicus brief on behalf of royalty owners, which was cited extensively in a landmark Texas Supreme Court ruling in favor of client's position to protect the use of hydraulic fracturing in Texas and to preserve the statute of limitations.

#### *Other*

- Create trade associations and assist with legislative and administrative policy.

#### EDUCATION AND PROFESSIONAL BACKGROUND

- Beatty Bangle Strama P.C. (Shareholder 2006- Present)
- McGinnis, Lochridge & Kilgore, L.L.P. (Associate 1999-2005, Partner 2006)
- The University of Houston Law Center, J.D. 1999
- The University of Texas School of Law (1998-99)
- Colorado College, B.A. 1995
- Universidad de Pais Basco, 1993
- Legislative Aide: Representative Craig Eiland, Texas House of Representatives (1999)
- Admitted to Practice: Texas, 1999



## Leah Stewart SHAREHOLDER

Leah Stewart practices in several areas of healthcare and regulatory law, with an emphasis on managed care and government programs. She represents hospitals, pharmacies, universities, physicians, and other healthcare entities on a wide range of matters, including managed care contract arrangements; regulation of healthcare providers and health plans; managed Medicaid, Medicare Advantage and Medicaid reimbursement, including supplemental payments; federal and state privacy issues (HIPAA); Texas legislative and rulemaking initiatives; federal and state fraud and abuse laws; and various other healthcare transactions. Leah is committed to providing efficient and cost-effective legal services that are tailored to her clients' needs.

### REPRESENTATIVE EXPERIENCE

#### *Federal and State Healthcare Regulation*

- Represented university system on Medicaid supplemental payment and reimbursement issues, analyzing proposed arrangements for federal regulatory compliance and assisting with structure of delivery reform projects
- Counseled large-chain pharmacy retailer on a wide variety of regulatory issues, including fraud and abuse issues, managed care and Medicaid reimbursement, and HIPAA
- Advised clients on handling of HIPAA complaints and responding to OCR investigations
- Counseled company offering retail-based healthcare clinics on federal and state regulatory issues
- Represented device manufacturers on Stark, fraud and abuse issues, and HAC reimbursement
- Assisted with representation of a pharmaceutical company on regulatory issues related to the Texas Vendor Drug Program (VDP) and confidentiality of pricing information submitted to the VDP
- Presented legal analyses to CMS for clarification on issues related to the Medicare Advantage program

#### *Managed Care*

- Served as lead outside counsel for a hospital system that created a Texas HMO and successfully bid to participate in Medicaid managed care
- Advised clients on bundled payment arrangements and risk-sharing arrangements
- Represented a publicly-traded company applying for a Certificate of Authority as a Texas HMO and seeking participation in the managed Medicaid and CHIP programs
- Drafted and negotiated managed care contracts for hospital systems, hospitals, and physician networks on individual, regional, and national levels
- Represented workers' compensation network client in contracting activities and disputes

*Transactional Matters*

- Structured hospital/physician joint venture in compliance with Stark, corporate practice of medicine, and reimbursement laws
- Represented NCI cooperative group in restructuring and merger with other NCI cooperative groups
- Advised national workers' compensation and auto healthcare intermediary on business dealings and contract negotiations with provider networks, payers, and other entities
- Counseled national healthcare company on regulatory issues in transactions buying and selling provider networks and related managed care assets
- Represented private equity fund with respect to an investment in a chain of emergency services hospitals and clinics
- Counseled national healthcare company in connection with the separation of its two principal operating units pursuant to a spin-off transaction

*Legislative and Rulemaking Initiatives*

- Assisted with representation of hospitals and carriers on managed care reform legislation for workers' compensation and related rulemaking
- Participated in Medicare Advantage rulemaking process on behalf of hospital clients
- Developed form policies and procedures for hospitals and physicians to implement new transparency legislation in Texas

EDUCATION AND PROFESSIONAL BACKGROUND

- Beatty Bangle Strama PC, 2011 – Present
- Vinson & Elkins LLP, 2003–2011
- Judicial clerk to The Honorable Emilio M. Garza, U.S. Fifth Circuit Court of Appeals, 2002–2003
- University of Virginia School of Law, J.D., 2002 (Order of the Coif)
- Texas A&M University, B.S. Genetics *magna cum laude*, 1999
- Admitted to practice: Texas, 2002

ACTIVITIES AND AFFILIATIONS

- Vice Chair of Educational Programs, Payors, Plans and Managed Care Practice Group, American Health Lawyers Association, 2011–present
- Chair: Managed Care Contracting Affinity Group, Payors, Plans and Managed Care Practice Group, American Health Lawyers Association, 2008–2011
- Member: American Health Lawyers Association; American Bar Association

## PUBLICATIONS AND PRESENTATIONS

- R. Fisk and L. Stewart, "CO-OPs: A Little Known Provision of the Health Reform Law," ABA Health Lawyer, October 2011
- "Health Care Reform: ACOs and Provider Networks," Texas Health Law Conference, Austin, Texas, October 2010
- "The Payment Puzzle: Innovative Strategies for Reforming Healthcare Payment," AHLA Payors, Plans and Managed Care Law Institute, Chicago, Illinois, October 2009
- "New and Improved Privacy: The HITECH Changes to HIPAA," Texas Health Law Conference, Austin, Texas, October 2009
- "The Trouble With Something for Nothing: Compliance Issues with Free Services and Promotions," AHLA Fraud and Compliance Forum, Baltimore, Maryland, October 2009
- E-Alert, "CMS Imposes Intermediate Sanctions on WellPoint's Medicare Plans," American Health Lawyers Association, January 2009
- "Critical Access Hospitals and Medicare Advantage," Rural Health Trifecta Conference, Austin, Texas, August 2008
- "Workers' Compensation Health Care Networks — Win, Lose, or Draw?" Travis County Bar Association Health Law Meeting, Austin, Texas, June 2006
- "Medicare Prescription Drug, Improvement and Modernization Act of 2003 Update," Travis County Bar Association Health Law Meeting, Austin, Texas, January 2004



## Brenda Strama COUNSEL

Brenda Strama has been practicing health care law for more than 25 years, representing hospitals, physician groups, clinical research organizations, blood banks, organ procurement organizations, and other health care entities regarding operational and regulatory issues. Her major areas of practice include medical staff issues, peer review hearings, health information confidentiality (HIPAA), credentialing and deselection, survey and certification, physician-hospital relationships, corporate practice of medicine, unauthorized practice of medicine, health care contracts, EMTALA issues, clinical research, and risk management. Brenda's commitment to clients is to provide pragmatic legal advice and cost-effective legal services focused on innovative solutions.

### REPRESENTATIVE EXPERIENCE

*Peer Review and Credentialing.* Effective peer review and credentialing is key to the provision of quality health care. Disciplinary actions are part of the peer review process and can lead to complex litigation and large damages if not handled properly. Well-drafted medical staff bylaws and experience in the handling of peer review hearings are critical to successful peer review.

- Representation of numerous hospitals in peer review hearings involving termination of medical staff members.
- Provided litigation support to hospitals in lawsuits brought by physicians excluded from medical staff, including *Poliner v. Texas Health Systems*, 537 F. 3d 368 (5th Cir. 2008, cert denied).
- Counseling numerous clients on the reporting requirements of the National Practitioner Data Bank.
- Acted as expert witness on Health Care Quality Improvement Act and National Practitioner Data Bank requirements in case brought by physician against a hospital for termination of privileges; the hospital was granted summary judgment.
- Representation of hearing committee and hearing officer in multiple peer review hearings.
- Drafting medical staff bylaws, credentialing policies and professional staff rules and regulations for numerous physician practices, managed care organizations, and HMOs.
- Drafted numerous briefs and policies on the Texas peer review privilege.

*Health Information Privacy.* Federal and State laws protect the confidentiality of health information through a complicated network of laws. Complying with these laws is critical to protecting both patients and health care providers.

- Created a broad-based client consortium consisting of employer-sponsored health plans, health care providers, and managed care organizations for the purpose of compliance with the security and privacy standards of the Health Insurance Portability and Accountability Act of 1996; designed and maintained an Extranet devoted to HIPAA compliance documents and information.

*Licensure, survey and certification.* The health care industry is very heavily regulated by state health agencies, the Medicare and Medicaid programs, and accrediting agencies, such as The Joint Commission. The regulatory and accreditation framework can be difficult to navigate and can have high stakes results, including penalties, loss of license, accreditation, or Medicare certification.

- Representation of numerous hospitals, home health agencies, and nursing homes with respect to prospective termination from the Medicare program.
- Representation of major for-profit and nonprofit hospitals regarding denial of accreditation by The Joint Commission on the Accreditation of Healthcare Organizations.
- Representation of numerous hospitals in negotiation and defense of administrative penalties imposed by the Texas Department of State Health Services.
- Representation of numerous hospitals in the defense of alleged patient-dumping (EMTALA) violations and civil money penalties assessed by the Office of Inspector General of the U.S. Department of Health and Human Services.
- Representation of physicians and nurses with investigations by licensing boards.
- Assisted hospitals with drafting and implementing corrective action plans submitted to the Centers for Medicare and Medicaid Services.

*Other*

- Expert witness for a hospital regarding piercing the corporate veil issues related to the actions of a Texas Certified Nonprofit Organization (referred to as a 501(a) organization) wherein the hospital was the sole member.
- Legal counsel for the creation of an accrediting organization for cellular therapy and assisted in the development of standards and accrediting procedures.
- Served as general counsel to several hospitals and other health care entities.
- Represented national clinical cooperative group with respect to regulatory, conflict of interest, and operational issues as well as contracts with pharmaceutical companies for clinical trials.
- Represented blood banks and hospitals in transfusion-associated HIV/AIDS cases and a variety of HIV/AIDS and hepatitis issues.
- Represented an organ procurement organization from original organization to designation as an OPO by Medicare and continued representation in regulatory, litigation, and business matters.



## ACTIVITIES AND AFFILIATIONS

- Chair: Success By Six Leadership Council, United Way Capital Area, 2010 – Present
- Appointed: Member of Texas Attorney General's Task Force on HIPAA Preemption
- Listed: Chambers USA: America's Leading Lawyers for Business in healthcare law, 2005-2007; The Best Lawyers in America in healthcare law, 2003-2007; "Texas Super Lawyers" in healthcare law, Texas Monthly, 2003-2007
- Chair: Health Law Section, Texas Bar Association, 2001- 2002
- Vice Chair: Credentialing and Peer Review Committee, American Health Lawyers Association, 1995 - 2003
- Member: Finance Subcommittee, American College of Health Care Executives; Greater Houston Society for Healthcare Risk Management; Health Law Exam Commission of the Texas Board of Legal Specialization
- AIDS Coordinating Committee, American Bar Association
- Author: The AIDS Epidemic and Local Government Liability (American Bar Association); "The National Practitioner Data Bank: Has it Accomplished its Objectives?" Health Lawyers News, February 2002 (American Health Lawyers Association)
- Editor: Vinson & Elkins Healthcare Legal Update
- Planning Committee Member and Speaker: University of Texas Annual Health Law Conference
- Speaker: numerous professional development programs and seminars
- Board of Directors: University of Houston Law School Alumni; March of Dimes, Gulf Coast Chapter
- United Way Capital Area, Women's Giving Network, 2004 – 2008
- Texas Bar Foundation

## EDUCATION AND PROFESSIONAL BACKGROUND

- Beatty Bangle Strama PC, 2008 – Present
- The University of Texas System Office of General Counsel 2007 -2008
- Vinson & Elkins LLP, 1984 – 2006; Partner 1992 – 2006
- Georgetown University School of Foreign Service, B.A. in government, history, and economics, 1962
- University of Houston Law Center, J.D. cum laude, 1984 (Order of the Coif)
- Admitted to practice: Texas, 1985



## Robert L. Looney OF COUNSEL

Rob Looney is a government affairs specialist who represents clients before the Texas Legislature on public policy and regulatory matters. Rob has extensive experience with the Texas Legislature and various Texas administrative agencies. Rob also has extensive experience and background in oil and gas law. He is able to use that expertise and experience to assist his clients with political and legislative activities.

Prior to joining BBS, Rob spent 26 years as the President of the Texas Oil and Gas Association and helped build that organization into one of the premier state trade associations in the nation. He was also treasurer of the Texas Oil and Gas PAC, one of the top political action committees in Texas. Rob began his career in the legal department of Phillips Petroleum Company in Denver, Colorado, Juneau, Alaska, Austin, Texas and Bartlesville, Oklahoma. He later served as the Senior Vice President of the Texas Association of Business.

Rob is a graduate of the University of Kansas and the University of Kansas School of Law where he served on the Law Review. He was admitted to the Texas Bar in 1972.

### EDUCATION AND PROFESSIONAL BACKGROUND

- President, Texas Oil and Gas Association, 1988-2014
- Private Law Practice, Austin, Texas, 1982-1988
- Senior Vice President, Texas Association of Business, 1976-1982
- Attorney, Phillips Petroleum Company, 1970-1976
- Admitted to State Bar of Texas, 1972
- The University of Kansas, Bachelor of Science in Education, 1965
- The University of Kansas School of Law, J.D. 1970

### ACTIVITIES AND AFFILIATIONS

Board member and former Chairman – Texas Civil Justice League

Founding member – Texas Business Roundtable

**THE LAW OFFICES OF DAMIAN C. OROZCO, P.C.**  
**Presentation of**  
**Professional Legal Services Proposal**  
**CITY OF WESLACO, TEXAS**  
**RFQ NO. 2014-15-32**



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*Villa De Fuente Plaza, 1138 East Expressway 83, Suite C., Pharr, Texas 78577*  
*Tele: 956-782-5447 - Fax: 956-782-5448 - E-Mail: dorozcolawoffice@yahoo.com*

*The Law Offices Of*  
**DAMIAN C. OROZCO, P.C.**

*Attorney At Law*

Villa De Fuente  
1138 East Expressway 83, Suite C.  
Pharr, Texas 78577

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Toll Free (866) 782-1LAW (1529)

Telephone (956) 782-5447

Fax (956) 782-5448

E-mail dorozco@orozco-law.com

September 22, 2015

**Re: City Attorney/Legal Services, RFQ NO. 2014-15-32**

Dear Mr. Hómer Rhodes:

### **Introduction and Resume**

The Law Offices of Damian C. Orozco, P.C. is pleased to submit this proposal for legal services. I am President of the firm, native of Donna, Texas, Donna High school graduate, UT-PANAM graduate and Texas Southern University/Thurgood Marshall School of Law graduate. I am proud to have an extensive range of work experience, from migrant worker, general construction, sales to non-profit leadership. It is thru a lifetime of the various work and experiences, and most importantly, dealing with people of all walks of life that provide the best experience, skill, ability to perform at the highest level as a professional, as an advocate, as an advisor, as a litigant, as a Lawyer.

I am particularly excited about the opportunity to serve the community of Weslaco, the Citizens, Commission and Mayor.

### **Brief Statement of Prior and Current Professional Experiences**

While attending UT-PANAM Social Work Program, and as the president of the social work club, the club was instrumental in advocating the legislation for the enactment to require a four-year bachelor degree and licensing examination for all who would be titled "social workers". Upon returning from law school, I served on the Board Of Woman Together-Mujers Unidas for three years (member/vice president and president of the organization). Currently, I am the President of Kando Investments, L.L.C. (general contractor and Property management), Vice president of Fuente De Juventud, Inc. (Adult Day Cares), President of RGV Health Services, L.L.C. (DBA Valley Ostomy Supply, Durable Medical Equipment Company), and President of Nuestro Futuro Child Day Care, L.L.C. (child day care).

I serve as the Current City Attorney for the City of Alamo, also a home rule city, I am very familiar with similar issues and needs as those mentioned in your request for proposals.

## Law Firm

My law firm was established in 1999 as a general practice with a focus on civil and criminal law, including but not limited to construction law, contracts, business transactions, and employee issues in the work place, representing both government entities as well as individuals. My experience also includes fifteen years of representing clients in both State and Federal Courts. Since obtaining My State and Federal License, I have always maintained in good standing with all governing bodies. As a member of The State Bar of Texas, Federal District Court and Fifth Circuit Court of Appeals, My Firm is able to represent the client at any stages of litigation. In addition, I have formal training as a Mediator.

It is my understanding that the qualities you require in a City Attorney, are the utmost efficient, professional legal representative for the Municipality, Commission and Mayor, who will provide guidance, counsel, and representation including, but not limited to: timely, reliable and in a highly professional matter, assist the city Manager, all city personnel including city staff and department head, with legal issues as they may arise on a daily bases. To advise its Commission and Mayor of Legal matters, research and brief pertinent issues for proper discussion and vote on agenda items, all in the best interest of the Municipality. Further, prepare and prosecute any and all city ordinance and other violations as they might apply in Municipal court, and as required under Sec. 45.201 of Texas Criminal Code.

### Information Required for Statement of Qualification

1. Name of Firm, Owner, address and telephone number:

The Law Office of Damian C. Orozco, P.C.

Owner, Damian Orozco

1138 E. Expressway 83, Ste. C., Pharr Texas 78577

(956) 782-5447

2. Personnel Qualification. Identify the key attorney(s) who will serve in the position of City Attorney; provide his/her resume and summarize his/her experience. Provide the same for other attorneys (if any) in the firm who may assist with the provision of services.

Damian Orozco (please see resume and statement above)

Lorraine Orozco, Graduate of St. Mary's Law School Class of 1997, with Primary Legal Experience in the Insurance Defense Industry, Prior Associate of the Hodge and James Law Firm, Harlingen Texas. Current Co-Counsel City Attorney for the City of Alamo, Texas.

Justino J.R. Garza (current City of Weslaco Prosecutor)

3. Specialized Legal Services Competence. Provide information about the attorney and firm's experience in providing legal services to municipal organizations. Provide at least

three references from these organizations including names, contact persons and phone numbers.

The best candidate to adequately represent the Citizens and Governing Body of the City of Weslaco should be one with extensive experience, business knowledge, experienced employer and combined with Legal Experience of a Litigator. I bring forth the knowledge needed to best Advocate for the Municipality as a Sovereign Entity, a Public Works/Service Provider, Emergency and Police, fire, community development, parks and recreation, library, and airport. Further, the law firm and or counsel shall be respected amongst the legal community, and most importantly by the courts' and their personnel. I stand ready to be inquired about my firm's reputation, and or of the counsel that are associated with my firm, and remain of the opinion of being honest, integral. In particular, being the City Attorney for City of Alamo, has given me the opportunity to Settle cases which had been in litigation over 10 years, previously handled by several Attorney and Firms, within a matter of months. I strongly believe in the prevention of circumstances that might bring forth litigation, and if Litigation is inevitable... immediate evaluation of risk, and formulation of resolution.

Reference: Luciano Ozuna, City Manager, City of Alamo (956) 279-1207

Jay Palacios, County Court at law No. 2 (956) 495-7000

Sonia Gallegos, Mayor Pro-Tem City of Donna (956) 878-5560

4. Capacity and Capability. Provide information about the attorney and firm's capacity and capability to perform on short notice and in a timely manner. If the appointed City Attorney is not available are there other means of responding to request?

As City Attorney, we are always under the expectation to be available on short notice, and although there might be a scheduling conflict from time to time, all three counsel will be available, if needed, at any given time.

Damian Orozco (956) 571-5291 (cell)

Lorraine Orozco (956) 369-0826 (cell)

Justino J.R. Garza (956) 451-0997 (cell)

5. Approach to Communicating With The City. Describe the Attorney and firm's approach to communicating with the City in regard to progress reports, status reports, recommendations, status of opinions, etc.

The City Manager and its staff shall have direct contact with Counsel as it pertains to daily legal issues as they may arise. All reports, status and/or opinion shall be provided, based on facts and legal principals, in person as the circumstances may require and in written form, as requested by the City Manager or his/her office staff or commission. Further, written brief or opinion to assist the Mayor and Commission for discussion and voting, and for any pending litigation.

6. Understanding of Services to Be Provided. Describe the attorney's/firm's

understanding of the scope of work.

My Firm is committed to providing a high level of professional, dependable, and reliable legal services. The highest priority will be to look for all possibilities in efficiently closing all pending cases in litigation, and working diligently in the prevention and avoiding situations and/or circumstances that will put the Municipality at risk of litigation. It has been my experience that this can be accomplished by recognizing the risk, researching the law, properly advising the decision makers, so that they can make the best decision for the Municipality, in a timely, economical and efficient manner.

7. Work Schedule and Approach to Project Management. Provide a plan for service delivery, and an explanation of how tasks and projects are managed within the firm to insure timely responses and completion.

The Firm will assign an assistant to specifically handle the City of Weslaco (Client) and manage the Client's calendar. All tasks, reports and opinions will be managed on a monthly, weekly and daily bases, which will include but not limited to ongoing litigation and deadlines, bimonthly commission meetings and supporting documents as needed, Public Information requests, and all other deadlines as they may apply to the Municipality. In the interim, the deadlines will be confirmed with the city manager, accordingly and as needed.

8. Conflict of Interest. List any Clients you currently represent that could cause a conflict of interest with your responsibilities as City Attorney Giddings and describe how you would be willing to resolve these or any future conflicts of interest.

There are no current clients of the firm that would cause a conflict of interest. In the event that a potential conflict would arise, either for the firm or counsel, Counsel will inform the City, avoid the potential for conflict, and if necessary, request that the particular matter be assigned to appointed counsel.

9. Fees. Please provide rates for providing the services described above. Note that the City of Weslaco is requesting fees to be submitted with two options:

Option A: I propose to provide legal services with a monthly retainer of \$5,000.00 (Five Thousand and No. Cents) plus hourly rate of \$185.00/Per Hour for services rendered. Specific items to be included in the retainer are as follow, all software usage, training and CLE, paralegal and other support staff, copies and transportation, and any other cost associated with the representation of the client, unless the firm formally requests appointment of specialty counsel, and the Commission and Mayor Approve.

Option B: I propose to provide legal services on an hourly basis without a retainer at the rate of \$195.00/Per Hour. With a flat Monthly fee of \$3000.00 assigned to cover Software usage, paralegal and support staff, copies and transportation.

Hourly rates under this options only apply to Counsel (counsel mentioned in No. 2 above), time directly associated with performing legal research, preparing legal documents, actual present time in meetings, works shops or assisting Municipal

staff, mediations/arbitration or assisting “of counsel” to appointed specialty counsel or on Litigation handled by TML counsel for the City.

10. Statement: The attorney or firm, by submitting a proposal, certifies that to the best of its knowledge or belief, no elected or appointed official of the City is financially interested directly or indirectly, in their firm or in the purchase of services as described in the RFQ. They also certify that the information contained in the Statement of Qualifications is correct and complete to the best of their knowledge.

I will serve as the chief contact between my firm and the client throughout the proposal review process. You may reach me at my cell for your convenience so that any questions or concerns may be immediately addressed. Also, I stand ready to personally present to, and answer all question of the Commission and Mayor.

Thank you for your time and consideration, I remain,

Sincerely,

**THE LAW OFFICES OF DAMIAN C. OROZCO, P.C.**

*Damian C. Orozco*

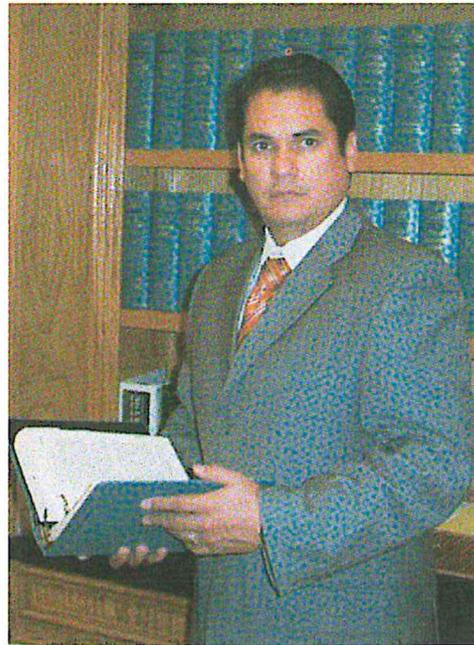
Damian C. Orozco, Attorney At Law

*The Law Offices Of*  
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*Attorney At Law*

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Telephone (956) 782-5447  
Fax (956) 782-5448  
E-mail: [dorozcolawoffice@yahoo.com](mailto:dorozcolawoffice@yahoo.com)

## Damian C. Orozco



Mr. Orozco was born in Raymondville, Texas, and raised in Donna, Texas. After graduating from Donna High School, he received his Bachelor of Social Work from the University of Texas Pan American in Edinburg, Texas. Thereafter, he earned his Juris Doctor from Texas Southern University, Thurgood Marshall School of Law in Houston, Texas. He was admitted to the Bar in 1999.

Mr. Orozco is an active member of the following organizations:

Texas State Bar Association  
Texas Young Lawyers Association  
Texas Municipal Court Association  
Appointed Deputy City Attorney for the City of Alamo  
Member of the U.S. Southern District of Texas  
Hidalgo County Bar  
Pharr Chamber of Commerce  
Mediator  
Former Board President of Women Together – Mujeres Unidas

Mr. Orozco lives with his wife, two sons, and daughter in McAllen, Texas.

*Guerra, Leeds, Sabo & Hernandez*

**REQUEST**

**FOR**

**QUALIFICATIONS**

**CITY ATTORNEY/LEGAL SERVICES**

**Proposal No. 2014-15-32**

**City of Weslaco  
255 S. Kansas  
Weslaco, Texas 78596**

**Proposal Submission Date: September 22, 2015 at 3:00 p.m. CST**

**Guerra, Leeds, Sabo & Hernandez, PLLC's  
Qualification Statements for RFQ No. 2014-15-32 for City Attorney / Legal Services**

**1. Name of firm, owner, address and telephone number.**

Name of Firm: Guerra, Leeds, Sabo & Hernandez, PLLC

Owners: R.D. "Bobby" Guerra, Eileen Leeds, Frank Sabo, and Joe Hernandez

Addresses: 10213 N. 10<sup>th</sup> Street, McAllen, Texas 78504; and  
1534 E 6<sup>th</sup>, Suite #200, Brownsville, Texas, 78520.

Telephone Numbers: (956) 383-4300 (McAllen); and  
(956) 451-1846 (Brownsville).

**2. Personnel Qualifications. Identify the key attorney(s) who will serve in the position of City Attorney; provide his/her resume and summarize his/her experience. Provide the same for other attorneys (if any) in the firm who may assist with the provision of services.**

Primary Attorney: Jose L. Caso

Resume: Please see Exhibit 1.

Experience Summary: Jose is a Rio Grande Valley native, and he graduated from Rice University in 2005 and from the University of Texas School of Law in 2008. Immediately after law school, Jose began working as a Staff Attorney in the Water Supply and Waste Sections of the Texas Commission on Environmental Quality ("TCEQ"). While working at the state agency, he became familiar with many of the laws and regulations of the State of Texas, although he primarily worked with the Texas Constitution, the Texas Public Information Act (TPIA), the Texas Open Meetings Act (TOMA), the Texas Tax Code, the Texas Water Code, the Texas Health and Safety Code, and the Administrative Procedures Act. While working at TCEQ, Jose prepared several requests for Attorney General decisions, regarding withholding confidential information, and many of Jose's requests were upheld by AG's Office. In addition, Jose learned of the conflicts of interest laws due to this high level of interaction, as a regulator, with regulated entities. Furthermore,

while working in the Water Supply Division, Jose worked on all aspects of utility districts and water supply corporations, including rate setting; certificates of convenience and necessity (CCNs); and creation and regulation of districts. Finally, while working in the Waste Section, Jose worked on many zoning and land-use disputes.

After approximately four years of working at TCEQ, Jose moved back to the Rio Grande Valley, and he began working for the law firm of Guerra, Leeds, Sabo & Hernandez, PLLC (“Guerra Leeds”) in McAllen, Texas. During his three-year tenure at Guerra Leeds, Jose has represented governmental entities and their officials and employees, including City of Mission, City of McAllen, City of Edinburg, City of Brownsville, City of Pharr, Starr County, Duval County, Zapata County, and Hidalgo County, with regards to both compliance and litigation. Jose also tried a Section 1983 case brought against a governmental entity and an elected official in Federal Court. Jose has worked on dozens of cases involving the Texas Tort Claims Act, Section 1983, and State and Federal employment law, including claims brought pursuant to 1<sup>st</sup> Amendment Rights, Workers Compensation, EEOC, FLSA, FMLA, USERRA, and ADEA, among others. In addition, Jose has served in the role of City Attorney for cities when the serving city attorney has had conflicts of interest. Furthermore, Jose has advised municipalities with regards to compliance with the Open Meetings Act and he has drafted ordinances that were ultimately enacted. Jose has also worked on several cases involving the Local Government Code, Civil Service, Collective Bargaining and other statutes and policies (e.g., Cities’ and Counties’ Personnel Policies, Procedures Manual, and Code Enforcement Process). Finally, Jose stays abreast of all legal developments regarding municipalities by attending TML-IRP CLEs and workshops, reading the most recently published Texas Supreme Court Decisions, and monitoring the Texas and Federal legislative sessions.

Jose is currently representing governmental entities with regards to the acquisition of water rights, in securing water quality and waste permits from the TCEQ, in obtaining funds from the Texas Water Development Board, and in reviewing bond language for the sale of bonds. In addition, Jose is working on applying for grant monies for various governmental entities from several different state funds. Jose also advises several private companies in the McAllen and Mission area with regards to compliance with federal, state, and local regulations.

Jose is familiar with the procedures for prosecuting in municipal courts. He also has experience drafting contracts, and he regularly monitors state and federal grant programs that may benefit municipalities. Moreover, he is familiar with the laws regarding managing extraterritorial jurisdiction (ETJ) and annexations. Jose is also familiar with zoning laws, the Development Corporation Act, applying Chapter 380 provisions to Economic Development Projects, and Hotel Occupancy Taxes. He is completely fluent in Spanish, and he is a board member of the Hidalgo County Young Lawyers Association. He regularly participates in *pro bono* activities and clinics sponsored by the Hidalgo County Bar Association. Finally, upon learning of the City of Weslaco's RFQ for a City Attorney, Jose read the entire Code of Ordinances of the City of Weslaco in Municode.com to be familiar with the City's ordinances.

Secondary Attorneys: R.D. "Bobby" Guerra, Eileen Leeds, Frank Sabo, Joe Hernandez, and Ysmael Fonseca

Please see Exhibit 2 containing the resumes of R.D. "Bobby" Guerra, Eileen Leeds, Frank Sabo, Joe Hernandez, and Ysmael Fonseca, and Exhibit 3 containing the resume of the law firm Guerra, Leeds, Sabo & Hernandez, PLLC.

**3. Specialized Legal Services Competence. Provide information about the attorney and firm's experience in providing legal services to municipal organizations. Provide at least three references from these organizations including names, contact persons and phone numbers.**

*Jose L. Caso's Experience in Providing Legal Services to Municipal Organizations –*

See Jose's Resume, attached as Exhibit 1. In addition, see the Answer to Experience Summary to Answer No. 2.

*Guerra Leeds' Experience in Providing Legal Services to Municipal Organizations –*

The law firm of Guerra, Leeds, Sabo & Hernandez, PLLC has extensive experience counseling and defending local and county governmental entities in a wide variety of lawsuits and non-litigation matters. The firm has earned a reputation among government officials, self-insureds, and insurance professionals for delivering first-rate, cost-effective, and practical legal representation ranging from high-profile, cutting-edge legal matters to more typical, yet equally important, claims. The firm has successfully defended thousands of governmental liability claims for counties, cities, water and irrigation districts, school districts, and other public agencies in federal and state court, and before administrative agencies including: claims brought under the Texas Tort

Claims Act; police and law enforcement agency claims; prisons, police holding facilities, and detention centers matters; zoning and land use disputes; employment related claims including those asserted under Section 1983, Title VII, FMLA, ADA; First Amendment and defamation claims; suits against elected officials, administrators, officers and judges.

The attorneys at Guerra, Leeds, Sabo & Hernandez, P.L.L.C. are prepared to counsel and defend governmental entities and their officials and employees in the vast array of claims that are asserted against them, provide investigation and assessment of potential claims, review of policies and practices, and conduct internal training and seminars.

*References:*

1. City of Mission – Ruben Plata, City Commissioner, (956) 566-1763
2. City of Mission – Martin Garza, City Manager, (956) 580-8650
3. City of Edinburg – Ramiro Garza, Jr., City Manager, (956) 388-8207
4. City of Edinburg – Sonia Marroquin, Assistant City Manager, (956) 388-8207

**4. Capacity and Capability. Provide information about the attorney and firm's capacity and capability to perform on short notice and in a timely manner. If the appointed City Attorney is not available are there other means of responding to requests?**

Jose L. Caso will be available 24 hours a day to address any issues that may arise. He will be able to spend as much time as needed in City Hall, and he will be available to attend meetings with City of Weslaco staff at any time and at any date. Jose also has a personal assistant, Sylvia Castillo, that exclusively assists him. In addition, Jose can utilize all of the firm's resources, including using online database services such as Westlaw, iDocket, and e-filing to research pertinent legal matters. Jose will personally handle all matters related to the City of Weslaco. However, and as needed, Jose can reach out to the other six secondary attorneys from Guerra Leeds to assist him in an assignment or to attend meetings in cases where two meetings are happening concurrently.

Guerra Leeds will be able to accommodate any deadline that is presented to it. If Jose L. Caso is unavailable, any of the other six secondary attorneys from Guerra Leeds are fully capable of responding to any issue that may arise, as they all work in matters related to representing municipalities.

Confidentiality of information is extremely important to Guerra Leeds. All of the information obtained from and sent to the City of Weslaco will be treated as attorney-client-privileged communications, and as such they will be exempted from the Texas

Public Information Act. In addition, all files from the City of Weslaco, both online and physical copies, will be securely kept.

**5. Approach to communicating with the City. Describe the attorney and firm's approach to communicating with the City in regard to progress reports, status reports, recommendations, status of opinions, etc.**

The firm's philosophy is to always provide solutions for its clients. Whenever a client faces a challenge, whether in litigation or compliance, Guerra Leeds provides a variety of options to enable their clients to obtain their desired objectives. We fully believe that given the proper counsel, and utilizing the proper legal avenues, municipalities can be enabled to fully utilize their resources to achieve their goals.

Guerra Leeds has successfully utilized many different resources to communicate with its clients. Each task that the firm works on is assigned a file number, and status reports are prepared on an ongoing basis for each matter. These status reports will be distributed among the City of Weslaco staff, as needed. In addition, a procedural calendar is prepared setting out the deadlines and benchmarks that must be met. By electronically coordinating these calendars, both the attorney and City of Weslaco staff can share specific times/dates for meetings and/or deadlines. Furthermore, the firm believes in having in-person meetings with the City Manager, his directors, and staff to discuss new laws, to make suggestions on how improve existing procedures, to review all pending litigation, and to discuss any questions or concerns they may have. In addition, regular e-mail exchanges and phone calls are always a good way to share information immediately. Finally, we brief the Mayor and City Commissioners in Open Session and/or Executive Session, as authorized by law.

We believe that the best way to communicate with the City of Weslaco is to use a combination of the options discussed above. We believe that the key to success is sharing information and working together toward a common goal.

**6. Understanding of Services to Be Provided. Describe the attorney's/firm's understanding of the scope of work.**

Jose L. Caso and the law firm of Guerra Leeds understand the scope of work to be any and all tasks that are assigned to the City Attorney by the City of Weslaco, including, but not limited to, the criteria enumerated in the General Scope of Services.

**7. Work Schedule and Approach to Project Management. Provide a plan for service delivery, and an explanation of how tasks and projects are managed within the firm to insure timely response and completion.**

Jose works during office hours, usually from 8 a.m. to 6 p.m., and usually on weekends, in his McAllen office. However, he is available 24 hours a day for his clients,

and they know they can reach him at his cell phone number, (956) 607 – 3055, at any time. Jose will be able to spend as much time as necessary in the City of Weslaco and give priority to assignments pertinent to the City of Weslaco. Depending on the nature of the task, for example whether a document has to be filed in court, whether oral or written legal advice has to be given, or whether an ordinance has to be drafted, clear deadlines will be established and met. Whenever a task is assigned within Guerra Leeds, a calendar of pertinent deadlines is created. These dates are entered into an electronic calendar, and reminders of one month, one week, three days, etc. are entered so the attorney and the clients can have plenty of time to prepare the information in question. If drafts have to be circulated prior to finalizing the document, plenty of time will be allotted for this purpose. At Guerra Leeds we usually finish documents several days before deadlines, although we are also used to working under high-pressure environments and the firm is ready to produce successful results in those conditions.

**8. Conflict of Interest. List any clients you currently represent that could cause a conflict of interest with your responsibilities as City Attorney for City of Weslaco and describe how you would be willing to resolve these or any future conflicts of interest.**

Guerra Leeds does not represent any clients that could cause a conflict with the interest of our responsibilities to the City of Weslaco. Prior to signing up a client, Guerra Leeds performs an exhaustive conflicts search, and in the case of conflicts or potential conflicts, it is the firm's policy to reject new clients that may have a conflict with existing clients.

**9. Fees. Please provide rates for providing the services described above. Note that the City of Weslaco is requesting fees to be submitted with two options:**

**Option A: Monthly retainer plus hourly fees (indicate specific items to be covered by the retainer)**

**Option B: Hourly fees for all work without a retainer.**

**Option C: Flat fee**

**For hourly fees, please identify hourly rate of each attorney and support personnel, and indicate minimum increment of time billed for services. Also state rates for other cost items proposed to be itemized and billed.**

Guerra Leeds would like to offer options for Option A and Option B.

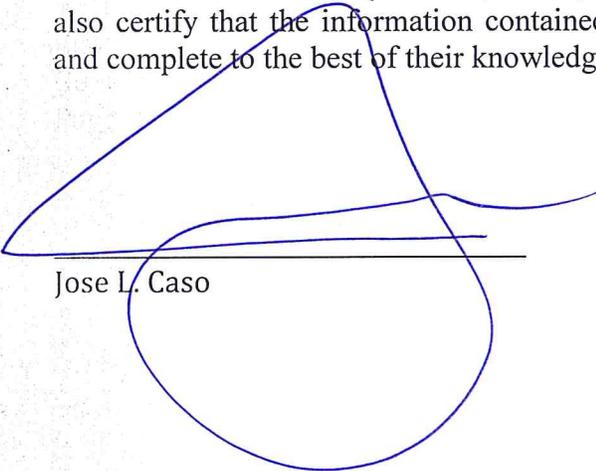
Option A: \$10,000 Monthly Retainer plus Attorney's Fees at \$225 an hour for the primary attorney, \$200 an hour for the secondary attorney, and \$24 an hour for support staff fees. The minimum increments for time billed will

be at a tenth-of-an-hour (.1) interval. Mailing and travel costs are passed on directly to the client, as authorized by the City of Weslaco's reimbursement policy.

Option B: Attorney's Fees at \$225 an hour for the primary attorney, \$200 an hour for the secondary attorney, and \$24 an hour for support staff. The minimum increments for time billed will be at a tenth-of-an-hour (.1) interval. Mailing and travel costs are passed on directly to the client, as authorized by the City of Weslaco's reimbursement policy.

**10. Statement: The attorney or firm, by submitting a proposal, certifies that to the best of its knowledge or belief, no elected or appointed official of the City is financially interested, directly or indirectly, in their firm or in the purchase of services as described in this RFQ. They also certify that the information contained in the Statement of Qualifications is correct and complete to the best of their knowledge.**

Guerra, Leeds, Sabo, and Hernandez, PLLC and Jose L. Caso certify that to the best of their knowledge or belief, no elected or appointed official of the City of Weslaco is financially interested, directly or indirectly, in their firm or in the purchase of services as described in this RFQ. Guerra, Leeds, Sabo, and Hernandez, PLLC and Jose L. Caso also certify that the information contained in the Statement of Qualifications is correct and complete to the best of their knowledge.



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Jose L. Caso



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R.D. "Bobby" Guerra  
Managing Partner of Guerra,  
Leeds, Sabo & Hernandez, PLLC

# EXHIBIT LIST

- Exhibit 1      Jose L. Caso's Resume
- Exhibit 2      Resumes of Secondary Attorneys
- Exhibit 3      Resume of Guerra, Leeds, Sabo & Hernandez, PLLC
- Exhibit 4      Proof of Maintaining CLE - Jose L. Caso
- Exhibit 5      Proof of Malpractice Insurance
- Exhibit 6      Notice of Intent to Submit a Statement of Qualification
- Exhibit 7      Anti-Collusion Certificate
- Exhibit 8      W-9 Form

# **EXHIBIT 1**

# Jose Luis Caso

Guerra, Leeds, Sabo & Hernandez, PLLC  
10213 N. 10th Street, McAllen, Texas 78504 | (956) 383-4300 | [jcaso@guerraleeds.com](mailto:jcaso@guerraleeds.com)

## EDUCATION

**The University of Texas School of Law** - Austin, Texas

Juris Doctor, May 2008

**Universidad del País Vasco** - San Sebastián, Spain

Took courses in Law of the European Union, International Criminal Law, and Canon Law, Fall 2007

**Rice University** - Houston, Texas

Bachelor of Arts in Political Science and Philosophy, May 2005

## EXPERIENCE

**Guerra, Leeds, Sabo & Hernandez, PLLC** - McAllen, Texas

*Associate*

June 2012 – Present

Deals with all aspects of bankruptcy and civil defense litigation. Deals with issues regarding municipal, corporate, and personal liability in both federal and state courts. Litigated trial in federal court regarding employment law and worked on several cases dealing with agencies such as the Texas Commission on Environmental Quality, the Texas Alcoholic and Beverage Commission and the Office of the Inspector General.

**Texas Commission on Environmental Quality** - Austin, Texas

*Staff Attorney*

December 2008 – May 2012

Dealt in-depth with issues related to the regulation, enforcement, and permitting of CCNs, water supply corporations, water quality, sewage, composting, grease trap wastes, grit trap wastes, tire disposals, radioactive wastes, industrial wastes, municipal solid wastes, and Prop. 2 tax abatements. Represented the agency in contested cases before the State Office of Administrative Hearings, in rule development projects, and in environmental litigation matters.

**Immigration Clinic, The University of Texas School of Law** - Austin, Texas

*Student Attorney*

January 2006 – June 2007

Successfully represented Spanish-speaking client in an asylum proceeding. Prepared and submitted naturalization paperwork for several clients and successfully obtained legal residence for them all.

**Thirteenth Court of Appeals** - Edinburg, Texas

*Law Intern*

July 2006 – August 2006

Assisted judges in drafting three opinions on the issues of breach of contract, abuse of defense-attorney discretion, and summary judgment. All opinions drafted were published in Westlaw.

## ACTIVITIES & LANGUAGES

Mentor, Big Brothers of Central Texas

November 2009 – Present

Hidalgo County Bar Association, Hidalgo County Young Lawyers Association

Fluent in Spanish

# **EXHIBIT 2**

## Resume of Robert "Bobby" Guerra

Bobby was born in Edinburg, Texas in 1953. His family, both paternal and maternal, have been South Texas ranchers since the 1700's. He graduated from Pan American University with a B.S. degree and a double major in Biology and Chemistry in 1977 and from Texas Southern University Law School in Houston, Texas with a J.D. degree, cum laude, in 1985.

For several years, prior to attending law school, he was a television reporter and news anchor at the ABC affiliate KRGV-TV Channel 5. He was admitted to the bar in 1985 and is licensed to practice in Texas and the United States District Courts for the Northern and Southern Districts of Texas.

Upon graduation from law school, Bobby practiced with the law firm of Peña, McDonald, Prestia & Ibanez in Edinburg, Texas. In 1986, he joined the McAllen law firm of Ewers & Toothaker and became partner after 3 ½ years. In August 1991, Bobby left Ewers & Toothaker to begin a practice of his own. Bobby has practiced in all of the state courts in the Rio Grande Valley and parts of South Texas. He served for several years as Director of the Hidalgo County Bar Association and was elected HCBA President for the 1993-94 term. He is currently a member of the American Bar Association and State Bar of Texas and is a Fellow with the Texas Bar Foundation. Bobby was elected by his peers and served as State Bar Director for District 12 from 1996 to 1999. His district encompassed 17 counties in and around the South Texas area. In March of 2000, Bobby was elected Chairman of the Hidalgo County Democratic Party where he served two terms. He has also served on the board of directors of the University of Texas-Pan American Alumni Association and was elected president of the board in 2003. In 2012 he was elected State Representative for District 41. Bobby is A.V. rated by Martindale-Hubbell.

## Resume of Eileen M. Leeds

Eileen M. Leeds was born in El Paso, Texas in 1952. She attended Inter-American University in San German, Puerto Rico after residing there since the age of three.

After graduating Summa Cum Laude with a BA in Biology and Physical Education, she obtained a MS in Athletic Training from Indiana University in Bloomington, Indiana in 1975. She later obtained a Ph.D. in Work Physiology in 1984 after teaching/coaching at Inter-American University in Puerto Rico for five years. After working as lab director of the Miami Project to Cure Paralysis, she graduated Cum Laude from the University of Miami Law School in 1991. She was admitted to the Florida Bar in 1991 and the U.S. District Court of the Southern District of Florida in 1992. She was an associate in the law firm of Angones, Hunter, McClure, Lynch & Williams in Miami, Florida before moving to Texas. Prior to joining our firm, she worked at Hirsch, Robinson, Sheiness & Glover for two years.

She is admitted to the Texas Bar, United States Court of Appeals, Fifth Circuit, United States District Court for the Southern and Western Districts of Texas and the United States Supreme Court. She is bilingual in English and Spanish. She has represented defendants in the areas of medical malpractice, personal injury, employment discrimination, civil rights, construction disputes, and contracts. She has represented school districts in administrative hearings regarding employment disputes. She has also litigated and won several excessive force cases.

## Resume of Frank Sabo, Jr.

Frank was born in Murfreesboro, Tennessee, in 1965 and was raised in McAllen, Texas. He graduated from St. Mary's University of San Antonio, Texas with a B.A. degree in Biology in 1986 and a J.D. degree in 1989.

He was admitted to the bar in 1989 and is licensed to practice in Texas and the United States District Court for the Southern District of Texas. Following graduation, he returned to the Rio Grande Valley and became an associate with the insurance defense firm Sweetman & Wise, L.L.P. He became a partner in the firm Sweetman, Sabo & Toland, L.L.P. where he practiced before joining the predecessor firm to Guerra, Leeds, Sabo & Hernandez, P.L.L.C. in 2009. He has handled litigation in the areas of medical malpractice, premises liability, automobile liability, trucking liability, construction defect, toxic tort and general negligence. Frank is a member of the Hidalgo County Bar Association where he has served on the Board of Directors since 2011 and is currently the President-Elect. He is a member of the Defense Research Institute and the Texas Association of Defense Counsel, and is a fellow of the Texas Bar Foundation and American Bar Foundation.

Frank is A.V. rated by Martindale-Hubbell, is Board Certified in Personal Injury Trial Law by the Texas Board of Legal Specialization, and is a member of the American Board of Trial Advocates (ABOTA) where he serves as President of the Rio Grande Valley chapter.

## Resume of Heather Scott

Heather was born in Harlingen, Texas and raised in Port Isabel, Texas where she graduated as Valedictorian from Port Isabel High School in 1997. She attended Southern Methodist University in Dallas, Texas, and graduated with a B.A. degree in Political Science in 2001. While at SMU, Heather was an SMU Scholar, listed on the SMU Honor Roll, and received the SMU Minority Academic Achievement Award. She was also a member of Pi Sigma Alpha Political Science Honor Society, Who's Who Among Students in American Colleges & Universities, and the College Hispanic American Students organization.

She attended Southern Methodist University Dedman School of Law in Dallas, Texas where she earned her J.D. degree in 2004. While in law school, Heather was on the Dean's List, a member of the Phi Delta Phi legal fraternity, and Who's Who Among American Law Students. After her first year of law school, Heather was selected for the American Bar Association Section of Litigation Minority Judicial Internship Program and was a law clerk intern with the Hon. Felix Recio, U.S. Magistrate Judge for the Southern District of Texas, Brownsville Division. During law school, Heather was also a law clerk with the Federal Trade Commission Southwest Regional Office in Dallas, Texas. She was admitted to the State Bar of Texas in 2004; the U.S. District Court, Southern District of Texas in 2005; the U.S. District Court, Western District of Texas in 2007; the U.S. Court of Appeals for the Fifth Circuit in 2006; and the United States Supreme Court in 2010.

Heather was named a Texas Super Lawyers Rising Star Young Lawyer in 2007, 2008, 2009, 2011, 2012, 2013, 2014 and 2015. Heather is a member of the Cameron County Bar Association, Cameron County Young Lawyer's Association, Hidalgo County Bar Association, American Bar Association, and the Bar Association of the Fifth Federal Circuit. Heather is fluent in Spanish. Heather was a member of Leadership Laguna Madre Class XVII and is a member of the Leadership Laguna Madre Steering Committee. She serves on the Board of Directors of the Boys & Girls Club of Laguna Madre as Director of Management Services, and also serves as a mentor on the State Bar of Texas Advisory Network.

# YSMAEL D. FONSECA

## EDUCATION

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**University of Notre Dame Law School** **Notre Dame, IN**  
*Juris Doctor, Cum Laude* *May 2009*

**University of Notre Dame** **Notre Dame, IN**  
*Bachelor of Arts in Political Science and Spanish, Cum Laude* *May 2003*

## EXPERIENCE

---

**Guerra, Leeds, Sabo & Hernandez, PLLC** **McAllen, Texas**  
*Associate Attorney* *Aug. 2011 – Present*

**United States District Court, Southern District of Texas** **McAllen, Texas**  
*Judicial Law Clerk to Hon. Randy Crane* *Sept. 2009 – Aug. 2011*

## HONORS AND PROFESSIONAL MEMBERSHIPS

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Member, State Bar of Texas  
Member, Hidalgo County Bar Association  
Member, Claims & Litigation Management Alliance  
Associate Member, Notre Dame Law School Order of St. Thomas More  
Rising Star, Texas Super Lawyers 2014, 2015

## PUBLICATIONS

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*The Catholic Church's Obligation to Serve the Stranger in Defiance of State Immigration Laws*  
23 NOTRE DAME J.L. ETHICS & PUB. POL'Y 291 (2009)

## BIOGRAPHY

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Ysmael was born and raised in South Texas. He graduated from the University of Notre Dame with a B.A. degree, *cum laude*, in Political Science and Spanish Literature in 2003 and a J.D. degree, *cum laude*, in 2009. Prior to attending law school, Ysmael served as a Paralegal Specialist for the Department of Justice Civil Rights Division in Washington, D.C. assisting in the prosecution of civil rights cases, with a particular focus on the prosecution of human trafficking offenses. He continued in public service while in law school through his work with the United States Attorney's Office in McAllen, Texas after his first year and with Senator John Cornyn in the Judiciary Committee of the United States Senate after his second year. During his law school years, Ysmael served in the Notre Dame Journal of Law, Ethics & Public Policy as note editor, and had the privilege of having his student note, *The Catholic Church's Obligation to Serve the Stranger in Defiance of State Immigration Laws*, published by the Journal in the Spring of 2009. Ysmael was also a student-lawyer for the Notre Dame Legal Aid Clinic, representing indigent clients in small estate, guardianship, and other probate matters. While at Notre Dame Law School, he was also selected by his peers to serve as vice-president of the Hispanic Law Students Association and as assistant chaplain of the St. Thomas More Society. Before joining the firm, Ysmael was a judicial law clerk for Judge Randy Crane of the United States District Court for the Southern District of Texas. While at the U.S. District Court, he provided the Court with research, assisted in the drafting of memorandums and opinions, monitored jury trials, and helped in the management of the Court's docket. Ysmael was named a Texas Super Lawyers Rising Star in 2014. He is licensed to practice law in all Texas courts and is also licensed in the Southern District of Texas.

# **EXHIBIT 3**

## Guerra, Leeds, Sabo & Hernandez, PLLC Resume

Guerra, Leeds, Sabo & Hernandez, P.L.L.C., is an AV rated firm that serves the Rio Grande Valley and all of South Texas with fully staffed offices in both Brownsville (Cameron County) and McAllen (Hidalgo County). The firm's managing partner, R. D. "Bobby" Guerra is a lifelong resident of Hidalgo County and has been a practicing trial attorney since 1985. He is a former Chairman of the Hidalgo County Democratic Party and currently serves as State Representative for District 41.

Guerra, Leeds, Sabo & Hernandez, P.L.L.C., primarily handles insurance defense litigation involving damages ranging from serious injury and death to back strains and soft tissue injuries. Areas of practice include product liability, motor vehicle accidents, construction accidents and defects, medical liability and premises liability.

The firm also has extensive experience in handling employment law cases, including sexual harassment, age discrimination, disability discrimination, worker's comp retaliation, Whistleblower's Act, libel and slander, breach of contract, intentional infliction of emotional distress, and assault and battery claims, as well as civil rights cases, including First, Fourth and Fourteenth Amendment claims, and all other state and federal constitutional law claims.

In addition, the firm represents numerous school districts, cities, counties, and other governmental entities in both Texas Tort Claims Act and federal and state constitutional cases. The firm's clients include insurance carriers and risk pools, as well as self-insured corporations. The firm has recently broadened its practice areas with the addition of a transactional practice, including real estate transactions and estate planning and probate, environmental law, water law, and bankruptcy matters.

# **EXHIBIT 4**

My MCLE Page

# Welcome Mr. Jose Luis Caso !

## MR. JOSE LUIS CASO 2015 MCLE Compliance Information (Prior Year)

State Bar of Texas

10213 N 10th Street  
McAllen, TX 78504

[jlcase@yahoo.com](mailto:jlcase@yahoo.com)

[Edit Profile >](#)

[CHANGE YEAR](#)

▼ [REPORT  
NEW  
HOURS:](#)

[TRANSCRIPTS](#)



Texas Bar College  
*Professionalism Through Education*

[Eligibility >](#)

Membership Status: **ACTIVE**

MCLE Reporting Status: **REGULAR**

Compliance Dates: **6/1/2014 thru 5/31/2015**

MCLE Compliance Status: **IN COMPLIANCE**

Non-Compliance Fee Owed: **\$0.00**

## Your MCLE Hours

### 2015 CLE SUMMARY INFORMATION

2015 CLE SUMMARY INFORMATION		CLE Hours Reported	YOUR MCLE RECORD SHOWS YOU HAVE COMPLETED ALL OF THE REQUIRED CLE FOR THIS MCLE COMPLIANCE YEAR. UNLESS THE INFORMATION ON THIS REPORT IS INCORRECT, NO FURTHER ACTION ON YOUR PART IS REQUIRED. FOR QUESTIONS
Carried Forward From 2014		<b><u>Avoiding Legal Malpractice</u></b> Credits: 2.00 Ethics: 2.00 2/17/2015	
<b><u>Accred</u></b> CLE: 3.00	<b><u>Self-Study</u></b> Hours:	<b><u>Women's Bar Section Meeting</u></b> Credits: 1.00 Ethics: 0.00 9/9/2014	
<b><u>Ethics:</u></b> 0.25	<b><u>Ethics:</u></b> 0.00	<b><u>Suing &amp; Defending Governmental Entities</u></b> Credits: Ethics: 2.00 7/31/2014	
<b><u>Total</u></b> Hours:			

3.00

*Ethics:*

0.25

14.00

REGARDING YOUR  
RECORD, CONTACT  
MCLE AT 1-800-  
204-2222, EXT.  
1806.

**Residential Landlord-Tenant Law**

*Credits: 1.00 Ethics: 1.00 7/29/2014*

**Hours Earned During 2015**



**Accred      Self-Study**

*CLE: 18.00      Hours:*

*Ethics:            0.00*

5.00      *Ethics:*

0.00

**TOTAL CLE  
HOURS  
REPORTED**

***Credits: 18.00***

***Ethics: 5.00***

It is your  
responsibility to  
make sure your  
mandatory MCLE  
hours are accurately  
and timely reported.

Failure to timely  
report CLE credit hours could result in a non-compliance penalty of  
\$100, \$200, or \$300.

[More information >](#)

[More legal information >](#)

**Total**

*Hours:*

18.00

*Ethics:*

5.00

**Hours Applied Toward 2015**

**Accred      Self-Study**

*CLE: 15.00      Hours:*

*Ethics:            0.00*

3.00      *Ethics:*

0.00

**Total**

*Hours:*

0.00

*Ethics:*

0.00

**Hours Needed For 2015**

**Accred      Self-Study**

*CLE: 0.00      Hours:*

*Ethics:            0.00*

0.00      *Ethics:*

0.00

**Total**

Hours:

0.00

Ethics:

0.00

[View Transcript Report](#)

[CLE Summary Information, Sponsors & Accreditation](#)

[Definition of Compliance Year](#)

[MCLE Exemptions](#)

[MCLE Rules](#)

[Military Waiver](#)

[Guardianship Ad Litem](#)

**MCLE Department**

*P.O. Box 13007*

*Austin, Texas 78711-3007*

*800-204-2222, ext. 1806*

*FAX: (512) 427-4423*

[mcle@texasbar.com](mailto:mcle@texasbar.com)

### MCLE COURSE SEARCH

Course Title

Sponsor Name

Course City

Course State  On or After 09/22/2015 On or Before 09/22/2016  The MCLE

 Clear

**Advanced Search** > department maintains a listing of all continuing legal education activities that have been approved for Texas MCLE credit. This search form is primarily designed to help you find upcoming MCLE accredited activities to attend during your compliance year, and to verify course numbers for activities already attended. Once you have identified the activity that you would like to attend, please contact the sponsor of the activity for

registration information.

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 [CONTACT](#)



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# **EXHIBIT 5**

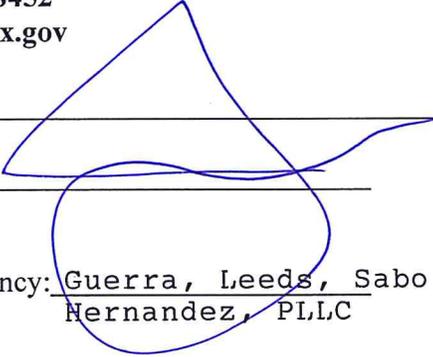


# **EXHIBIT 6**

**NOTICE OF INTENT TO SUBMIT A STATEMENT OF QUALIFICATION**

If you intend to submit a statement of qualification for **CITY ATTORNEY/LEGAL SERVICES RFQ No.: 2014-15-32** with the City of Weslaco as outlined in the specifications, please indicate your intention by signing, dating, and returning this form to the address below prior to **October 16, 2015**, so that you may receive any addendums to the specifications should the need arise.

**Homer Rhodes  
Buyer II  
City of Weslaco  
Purchasing Department  
255 S. Kansas  
Weslaco, Texas 78596  
Phone : (956) 447-2240  
Fax: (956) 969-8452  
hrhodes@weslacotx.gov**

Name: <u>Jose L. Caso</u> (print)	Signature: 
Title: <u>Associate Attorney</u>	Company/Agency: <u>Guerra, Leeds, Sabo &amp; Hernandez, PLLC</u>
Mailing Address: <u>10213 N. 10th Street</u>	City/State/Zip: <u>McAllen, Texas 78504</u>
Phone: <u>(956) 383-4300</u>	Fax: <u>(956) 383-4304</u>
Email: <u>jcaso@guerraleeds.com</u>	

# **EXHIBIT 7**

**RFP NO. 2014-15-32**  
**CITY ATTORNEY/LEGAL SERVICES**

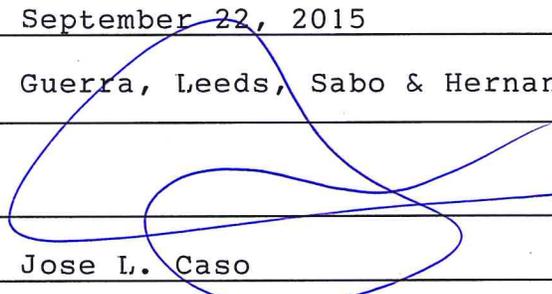
**ANTI-COLLUSION CERTIFICATION**

By submission of this proposal, the Proposer certifies that:

1. This request for qualifications has been independently arrived at without collusion with any other Proposer or with any competitor;
2. This request for qualifications has not been knowingly disclosed and will not be knowingly disclosed, prior to the opening of proposals for this project, to any other proposer competitor or potential competitor;
3. No attempt has been or will be made to induce any other person, partnership or corporation to submit or not to submit a proposal;
4. The person signing this request for qualifications certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties being applicable to the proposer as well as to the person signing in its behalf.

Date Submitted: September 22, 2015

Company Name: Guerra, Leeds, Sabo & Hernandez, PLLC

Authorized Signature: 

Type Signatory's Name: Jose L. Caso

Signatory's Title: Associate Attorney

Company Address: 10213 N. 10th St.

City/State/Zip Code: McAllen / Texas / 78504

Agent Name: Not Applicable

Agent Address: Not Applicable

Phone Number: (956) 383-4300

Fax Number: (956) 383-4304

# **EXHIBIT 8**

## Request for Taxpayer Identification Number and Certification

Give Form to the  
 requester. Do not  
 send to the IRS.

Print or type  
See Specific Instructions on page 2.

Name (as shown on your income tax return)

---

Business name/disregarded entity name, if different from above  
**Guerra, Leeds, Sabo & Hernandez, PLLC**

Check appropriate box for federal tax classification:  
 Individual/sole proprietor     C Corporation     S Corporation     Partnership     Trust/estate  
 Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ **P**  
 Other (see instructions) ▶

Exemptions (see instructions):  
 Exempt payee code (if any) \_\_\_\_\_  
 Exemption from FATCA reporting code (if any) \_\_\_\_\_

Address (number, street, and apt. or suite no.)  
**10213 N. 10th Street**

City, state, and ZIP code  
**McAllen, TX 78504**

Requester's name and address (optional)

List account number(s) here (optional)

**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

**Social security number**

--	--	--	--	--	--	--	--	--	--	--	--

**Employer identification number**

7	4	-	2	8	0	9	9	7	9
---	---	---	---	---	---	---	---	---	---

**Note.** If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

**Part II Certification**

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. citizen or other U.S. person (defined below), and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

**Sign Here**    Signature of U.S. person ▶ *[Handwritten Signature]* / Bookkeeper    Date ▶ *11-21-13*

**General Instructions**

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** The IRS has created a page on IRS.gov for information about Form W-9, at [www.irs.gov/w9](http://www.irs.gov/w9). Information about any future developments affecting Form W-9 (such as legislation enacted after we release it) will be posted on that page.

**Purpose of Form**

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, payments made to you in settlement of payment card and third party network transactions, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and

4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct.

**Note.** If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,
- The U.S. grantor or other owner of a grantor trust and not the trust, and
- The U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

**Foreign person.** If you are a foreign person, do not use Form W-9. Instead, use the appropriate Form W-8 (see Publication 515, *Withholding of Tax on Nonresident Aliens and Foreign Entities*).

**Nonresident alien who becomes a resident alien.** Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

**Example.** Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity not subject to backup withholding, give the requester the appropriate completed Form W-8.

**What is backup withholding?** Persons making certain payments to you must under certain conditions withhold and pay to the IRS a percentage of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

**Payments you receive will be subject to backup withholding if:**

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the Part II instructions on page 3 for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the instructions below and the separate instructions for the Requester of Form W-9.

Also see *Special rules for partnerships* on page 1.

### Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account, for example, if the grantor of a grantor trust dies.

### Penalties

**Failure to furnish TIN.** If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

**Civil penalty for false information with respect to withholding.** If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

**Criminal penalty for falsifying information.** Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

**Misuse of TINs.** If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

### Specific Instructions

#### Name

If you are an individual, you must generally enter the name shown on your income tax return. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first, and then circle, the name of the person or entity whose number you entered in Part I of the form.

**Sole proprietor.** Enter your individual name as shown on your income tax return on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name/disregarded entity name" line.

**Partnership, C Corporation, or S Corporation.** Enter the entity's name on the "Name" line and any business, trade, or "doing business as (DBA) name" on the "Business name/disregarded entity name" line.

**Disregarded entity.** Enter the owner's name on the "Name" line. The name of the entity entered on the "Name" line should never be a disregarded entity. The name on the "Name" line must be the name shown on the income tax return on which the income will be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a domestic owner, the domestic owner's name is required to be provided on the "Name" line. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on the "Business name/disregarded entity name" line. If the owner of the disregarded entity is a foreign person, you must complete an appropriate Form W-8.

**Note.** Check the appropriate box for the federal tax classification of the person whose name is entered on the "Name" line (Individual/sole proprietor, Partnership, C Corporation, S Corporation, Trust/estate).

**Limited Liability Company (LLC).** If the person identified on the "Name" line is an LLC, check the "Limited liability company" box only and enter the appropriate code for the tax classification in the space provided. If you are an LLC that is treated as a partnership for federal tax purposes, enter "P" for partnership. If you are an LLC that has filed a Form 6032 or a Form 2553 to be taxed as a corporation, enter "C" for C corporation or "S" for S corporation. If you are an LLC that is disregarded as an entity separate from its owner under Regulation section 301.7701-3 (except for employment and excise tax), do not check the LLC box unless the owner of the LLC (required to be identified on the "Name" line) is another LLC that is not disregarded for federal tax purposes. If the LLC is disregarded as an entity separate from its owner, enter the appropriate tax classification of the owner identified on the "Name" line.

**Other entities.** Enter your business name as shown on required federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name/ disregarded entity name" line.

**Exempt Payee**

If you are exempt from backup withholding, enter your name as described above and check the appropriate box for your status, then check the "Exempt payee" box in the line following the "Business name/ disregarded entity name," sign and date the form.

Generally, individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends.

**Note.** If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding.

The following payees are exempt from backup withholding:

1. An organization exempt from tax under section 501(c)(3), any IRA, or a custodial account under section 402(b)(7) if the account satisfies the requirements of section 401(f)(2).
  2. The United States or any of its agencies or instrumentalities.
  3. A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities.
  4. A foreign government or any of its political subdivisions, agencies, or instrumentalities, or
  5. An international organization or any of its agencies or instrumentalities.
- Other payees that may be exempt from backup withholding include:
6. A corporation,
  7. A foreign central bank of issue,
  8. A dealer in securities or commodities required to register in the United States, the District of Columbia, or a possession of the United States,
  9. A futures commission merchant registered with the Commodity Futures Trading Commission,
  10. A real estate investment trust,
  11. An entity registered at all times during the tax year under the Investment Company Act of 1940,
  12. A common trust fund operated by a bank under section 584(a),
  13. A financial institution,
  14. A middleman known in the investment community as a nominee or custodian, or
  15. A trust exempt from tax under section 664 or described in section 4947.

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 15.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 9
Broker transactions	Exempt payees 1 through 6 and 7 through 13. Also, C corporations.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 6
Payments over \$600 required to be reported and direct sales over \$5,000 <sup>1</sup>	Generally, exempt payees 1 through 7 <sup>2</sup>

<sup>1</sup> See Form 1099-MISC, Miscellaneous Income, and its instructions.  
<sup>2</sup> However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney, and payments for services paid by a federal executive agency.

**Part I. Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-member LLC that is disregarded as an entity separate from its owner (see *Limited Liability Company (LLC)* on page 2), enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

**Note.** See the chart on page 4 for further clarification of name and TIN combinations.

**How to get a TIN.** If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local Social Security Administration office or get this form online at [www.ssa.gov](http://www.ssa.gov). You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at [www.irs.gov/businesses](http://www.irs.gov/businesses) and clicking on Employer Identification Number (EIN) under Starting a Business. You can get Forms W-7 and SS-4 from the IRS by visiting [IRS.gov](http://IRS.gov) or by calling 1-800-TAX-FORM (1-800-929-3878).

If you are asked to complete Form W-9 but do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

**Note.** Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

**Caution:** A disregarded domestic entity that has a foreign owner must use the appropriate Form W-8.

**Part II. Certification**

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, below, and items 4 and 5 on page 4 indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on the "Name" line must sign. Exempt payees, see *Exempt Payee* on page 3.

**Signature requirements.** Complete the certification as indicated in items 1 through 3, below, and items 4 and 5 on page 4.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.
2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.
3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. **Other payments.** You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. **Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions.** You must give your correct TIN, but you do not have to sign the certification.

**Note.** If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

**Secure Your Tax Records from Identity Theft**

Identity theft occurs when someone uses your personal information such as your name, social security number (SSN), or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

- To reduce your risk
  - Protect your SSN,
  - Ensure your employer is protecting your SSN, and
  - Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Publication 4535, Identity Theft Prevention and Victim Assistance.

Victims of identity theft who are experiencing economic harm or a system problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

**Protect yourself from suspicious emails or phishing schemes.** Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to [phishing@irs.gov](mailto:phishing@irs.gov). You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration at 1-800-368-4484. You can forward suspicious emails to the Federal Trade Commission at [spam@ftc.gov](mailto:spam@ftc.gov) or contact them at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft) or 1-877-IDTHEFT (1-877-438-4338).

Visit [irs.gov](http://irs.gov) to learn more about identity theft and how to reduce your risk.

**What Name and Number To Give the Requester**

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account <sup>1</sup>
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor <sup>2</sup>
4. a. The usual revocable savings trust (grantor is also trustee) b. So-called trust account that is not a legal or valid trust under state law	The grantor-trustee <sup>3</sup> The actual owner <sup>4</sup>
5. Sole proprietorship or disregarded entity owned by an individual	The owner <sup>4</sup>
6. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulation section 1.671-4)(b)(2)(ii)(A))	The grantor <sup>4</sup>
For this type of account:	Give name and EIN of:
7. Disregarded entity not owned by an individual	The owner
8. A valid trust, estate, or pension trust	Legal entity <sup>4</sup>
9. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
10. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
11. Partnership or multi-member LLC	The partnership
12. A broker or registered nominee	The broker or nominee
13. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
14. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulation section 1.671-4)(b)(2)(ii)(B))	The trust

<sup>1</sup>List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

<sup>2</sup>Circle the minor's name and furnish the minor's SSN.

<sup>3</sup>You must show your individual name and you may also enter your business or "DBA" name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

<sup>4</sup>List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see Special rules for partnerships on page 1.

\*Note. Grantor also must provide a Form W-9 to trustee of trust.

**Privacy Act Notice**

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.



September 21, 2015

City of Weslaco  
Attn: Homer Rhodes  
Purchasing Office  
255 S. Kansas Avenue  
Weslaco, Texas 78596

Dear Mr. Rhodes:

Enclosed find the following documents concerning my application for Request for Qualifications RFQ No. 2014-15-32.

1. Cover Letter
2. Statement of Qualifications
3. Resume
4. Anti Collusion Certification
5. Conflict of Interest Questionnaire
6. W-9 – Request for Taxpayers Identification

If you have any questions or need additional information, feel free to contact my office at the telephone number or email address listed below.

Sincerely,

A handwritten signature in black ink, appearing to read 'JEG'.

Juan E. Gonzalez

JEG/cp  
Enclosures



September 21, 2015

City of Weslaco  
Attn: Homer Rhodes  
Purchasing Office  
255 S. Kansas Avenue  
Weslaco, Texas 78596

**Re: Legal Services – City of Weslaco**

Dear Mr. Rhodes:

This letter is in response to request for qualifications from law firms for representation of the City of Weslaco. Pursuant to your specifications, I am the Principal in the firm who will have sole responsibility for dealing with the City of Weslaco and what follows is a brief biographical sketch.

I have been a licensed attorney in the State of Texas since May 10, 1985 and I have been licensed to practice in the Federal Courts for the Southern District of Texas since September 6, 1985. During my thirty years of practice, I have become knowledgeable in various areas of the law. I have been involved in over one hundred jury trials which have gone to verdict and I have practiced extensively in criminal law, personal injury law, construction law, school law and municipal law.

In September of 1993, I was hired by the Donna Independent School District as their general counsel. During the time I represented the Donna Independent School District, I conducted, to conclusion, an appeal to the Texas Education Agency in Austin, Texas. This appeal resulted in a favorable judgment for the school district. I also helped prepare agendas for regular and special board meetings. This experience allowed me to acquire a wide range of knowledge concerning The Open Meetings Act and the Open Records Act.

I was general counsel for the Weslaco Independent School District for two years. Among other things, I conducted a University Interscholastic League hearing and appealed their ruling to the State District Court in Austin, Travis County, Texas. I represented the District in special education hearings and I also played an instrumental part in preparing for and advising the Board on the \$20 million construction of Weslaco East High School.

In May of 1996, I was elected a member of the Board of Trustees of the Mercedes Independent School District. During my tenure on the board, we had extensive ongoing litigation concerning the construction of a school. During this time, I was closely involved in and testified in court concerning this issue. This experience has taught me what not to do in construction projects and has given me a wide range of experience in construction issues. My experience as a board member has given me

insight into the inner workings of a governmental entity and the roles of administrators, board members, paraprofessionals and professional employees.

I represented the City of Donna and the Donna Bridge Board for over three years and was involved in several high profile lawsuits including litigation over reassignment and termination of high ranking employees and over the creation, funding and construction of the Donna Bridge. I also represented the Donna Economic Development Corporation and was instrumental in obtaining and securing funding from the Texas Water Development Board for much needed infrastructure improvements for the City.

I represented the City of Mercedes for over six years and was involved in numerous lawsuits. I was instrumental in all phases of the creation, construction and funding of the Mercedes Outlet Mall. I worked closely with the Economic Development Corporation in negotiating the tax rebate agreement between the City, the developer and the contractor of the mall. This experience provided valuable insight in the creation and establishment of tax free zones and other programs necessary to lure and most importantly, retain business opportunities for governmental entities.

I have also sued and successfully settled a number of lawsuits against several governmental entities. These lawsuits have given me experience on both sides of the fence and most importantly, gave me insight and knowledge on how to protect and defend governmental entities in serious litigation. Having both defended and sued cities and school districts gives me a unique perspective on how to prevent losses for entities.

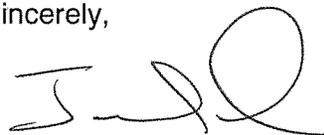
I am currently legal counsel for the Mercedes Housing Authority. I provide legal opinions and advise on employment funding and audit issues for the entity.

I currently reside in Mercedes, Texas, where I was the presiding municipal court judge for the City of Mercedes from 1993 to 1997. I have two daughters, one of whom is an attorney and is associate general counsel for the Texas Medical Center in Houston, Texas. My other daughter is a graduate of the University of Texas at Austin and is currently employed as a marketing representative for the Hinojosa Law Firm in Houston, Texas.

My broad based and extensive knowledge in representing and suing cities, school districts and other governmental entities, provides me with the skills necessary to aggressively and competently represent any entity and all the skills necessary to guide elected officials and employees.

If you have any questions, feel free to contact my office at the telephone number listed below.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Gonzalez', with a large, stylized flourish at the end.

Juan E. Gonzalez

JEG/cp

## STATEMENT OF QUALIFICATIONS

1. Name of Firm: Law Office of Juan E. Gonzalez

State Bar No. 08121800

Owner: Juan E. Gonzalez

Telephone: 956-447-5585 Fax: 956-447-8637

2. Personnel Qualifications: The key attorney for the Law Office of Juan E. Gonzalez is myself and my resume is enclosed for your review. I have represented two cities and a variety of governmental agencies over my 30 years experience as an attorney. I have several attorneys with whom I work closely should I not be available due to illness or scheduling conflicts. These attorneys include, but are not limited to, Richard Hinojosa and David Gorena. David Gorena is currently the municipal prosecutor for the City of Mercedes and Richard Hinojosa is my son-in-law who has been licensed for over 3 years and works closely with me on many projects on an as needed basis.

3. Specialized Legal Services Competence: I have previously represented the City of Mercedes and the City of Donna as set forth in my resume. In addition, I have represented several school districts and governmental entities. While representing the City of Mercedes, I was directly involved in the negotiations and preparation for the outlet mall. I represented the City of Donna while their Bridge was being built and I created and represented the Donna-Mercedes Bridge Corporation. My three references are as follows:

- i. Miguel Castillo, Jr.  
Former Mayor of Mercedes  
721 E. Alamo  
Mercedes, Texas 78570  
956-565-4194
- ii. Daniel Castillo  
Former Donna City Commissioner  
956-464-3314
- iii. Ernest Silva  
Former City Manager – Mercedes  
956-792-2588
- iv. Joel Quintanilla  
Former Mayor of Mercedes  
5117 FM 491  
Mercedes, Texas 78570  
956-778-8214

4. Capacity and Compatibility: My office is located in the City of Weslaco and as such, I would be available on short notice and in a timely manner as I am only blocks away from City offices. My cell phone number will be provided to staff and commissioners so I would be available for consultation at any time and hour of the day.

5. Communication With The City: As acting attorney, I would concentrate on communicating with the City by and through the City Manager. All requests would be directly to the City Manager but I would of course be available to discuss any issues with staff or commissioners on individual issues. However, any communication with staff would be at the request of and with the knowledge of the City Manager.

6. Services To Be Provided: Having represented cities before I have experience in the scope of work to be performed. I will represent the City on all legal issues and my experience in every facet of municipal law will enable me to advise the City on any issue that arises.

7. Work Schedule: Task and projects are all managed solely under my guidance. Any deadlines are calendared personally and independently by my secretary of 30 years. Timely response is a cornerstone for any practicing attorney and the system of double checks for any deadlines has long been effective for my practice.

8. Conflict of Interest: I am not aware of my conflict whatsoever between my office and the City of Weslaco or any individual, commissioners or employees.

9. Fees: The hourly rate is the only fee charged. The City will not be billed for any support personnel. The minimum increment of time billed for services is .10 of an hour. Any expenses will be billed to the City at cost. These general terms apply to all three options set forth below.

1) Option A - A monthly retainer would be between \$5,000.00 to \$10,000.00 per month with an hourly fee of \$200.00 an hour.

The monthly retainer would cover all meetings and all services subject to a monthly itemized statement. However, this option is subject to negotiation.

2) Option B - The hourly fee would be at the rate of \$200.00 an hour for any and all services provided..

3) Option C - This flat fee option is not very reliable as it would short change either the City or the attorney. A flat fee of \$10,000.00 based on my knowledge of services required by a city of this size would be a starting point for negotiations.

10. Statement of Financial Interest - I certify that no elected or appointed official is financially interested, directly or indirectly in my firm or in the purchase of services in this request for qualifications.

**JUAN E. GONZALEZ**  
**3110 E. BUS. HWY 83**  
**WESLACO, TEXAS 78596**  
**(956) 447-5585**

## **Education**

Doctor of Jurisprudence Degree  
August 11, 1984  
Texas Tech University School of Law

Reginald Heber Smith Community Lawyer Fellowship  
May 1, 1984-1986  
Howard University, Washington, D.C.

Bachelor of Arts- Government  
May 23, 1981  
University of Texas at Austin

Donna High School Graduate  
May 1977  
Donna, Texas

## **Work Experience**

General Counsel  
Weslaco Independent School District  
August 1996 to 1998

General Counsel  
Donna Independent School District  
November 1993 to May 1994

General Counsel  
City of Donna  
1997 to 2000

General Counsel  
Donna Economic Development Corporation  
1997-2000

General Counsel  
Donna Mercedes Bridge Corporation  
1997-2000

General Counsel  
Mercedes Industrial Foundation  
2000-2004

General Counsel  
Mercedes Economic Development Corporation  
1997-2004

General Counsel  
Mercedes Housing Authority  
1998 – Present

General Counsel  
City of Mercedes  
1997 to 2004

Solo Practitioner  
Law Office of Juan E. Gonzalez  
3110 E. Bus. Hwy 83  
Weslaco, Texas 78596  
August 1987 to Present

General Partner  
Gonzalez and Martinez, Attorney at Law  
113 S. 10<sup>th</sup>, Suite 200, Edinburg, Texas  
October 1991 to December 1992

Assistant District Attorney  
Hidalgo County, Edinburg, Texas  
May 1987 to August 1987

Staff Attorney, Texas Rural Legal Aid  
Edinburg Branch, Edinburg, Texas  
August 1984 to May 1987

## **Organizations**

Federal Bar, Southern District of Texas, 1985 –Present

Member, American Bar Association, 1987- Present

Member, Hidalgo County Bar Association, 1990 – Present

Member, Mercedes Independent School District Board,  
May 1996 to 1999

Director, Boys and Girls Club of Donna, 1991 -1993

Director, Boys and Girls Club of Mercedes, 1993 -1997

Municipal Judge, Mercedes, 1993 –1997

President, Sacred Heart Church Parish Council, Mercedes  
1995

**References**

Miguel Castillo, Jr.  
Former Mayor of Mercedes  
721 E. Alamo  
Mercedes, Texas 78570  
956-565-4194

Daniel Castillo  
Former Donna City Commissioner  
956-464-3314

Ernest Silva  
Former City Manager – Mercedes  
956-792-2588

Joel Quintanilla  
Former Mayor of Mercedes  
956-778-8214

**Permanent Address**

7421 Mile 2 East  
Mercedes, Texas 78570  
(956) 565-6949

**RFP NO. 2014-15-32**  
**CITY ATTORNEY/LEGAL SERVICES**

**ANTI-COLLUSION CERTIFICATION**

By submission of this proposal, the Proposer certifies that:

1. This request for qualifications has been independently arrived at without collusion with any other Proposer or with any competitor;
2. This request for qualifications has not been knowingly disclosed and will not be knowingly disclosed, prior to the opening of proposals for this project, to any other proposer competitor or potential competitor;
3. No attempt has been or will be made to induce any other person, partnership or corporation to submit or not to submit a proposal;
4. The person signing this request for qualifications certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties being applicable to the proposer as well as to the person signing in its behalf.

Date Submitted: September 21, 2015

Company Name: Law Office of Juan E. Gonzalez

Authorized Signature: 

Type Signatory's Name: Juan E. Gonzalez

Signatory's Title: Owner

Company Address: 3110 E. Bus. Hwy 83

City/State/Zip Code: Weslaco, Texas 78596

Agent Name: Juan E. Gonzalez

Agent Address: 3110 E. Bus. Hwy 83, Weslaco, Texas 78596

Phone Number: 956-447-5585

Fax Number: 956-447-8637

# CONFLICT OF INTEREST QUESTIONNAIRE

For vendor or other person doing business with local governmental entity

FORM  
CIQ

This questionnaire reflects changes made to the law by H.B. 1491, 80<sup>th</sup> Leg., Regular Session.

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

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7<sup>th</sup> business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, local Government Code. An offense under this section is a Class C misdemeanor.

### OFFICE USE ONLY

Date Received

**1** Name of person who has a business relationship with local governmental entity.  
None

**2**  Check this box if you are filling 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 7<sup>th</sup> business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

**3** Name of local government officer with whom filer has employment or business relationship.

None

\_\_\_\_\_  
Name of Officer

This section, (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001 (1-a), Local Government Code. Attach additional pages to this form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

Yes  NA No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

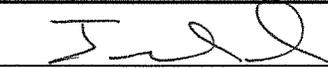
Yes  NA No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes  NA No

D. Describe each employment or business relationship with the local government officer named in this section.

**4**

  
\_\_\_\_\_  
Signature of person doing business with the governmental entity

9-21-15  
\_\_\_\_\_  
Date

## Request for Taxpayer Identification Number and Certification

**Give Form to the  
 requester. Do not  
 send to the IRS.**

Print or type See Specific Instructions on page 2.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. <b>JUAN E. GONZALEZ</b>	
	2 Business name/disregarded entity name, if different from above <b>LAW OFFICE OF JUAN E. GONZALEZ</b>	
	3 Check appropriate box for federal tax classification; check only <b>one</b> of the following seven boxes: <input checked="" type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ <b>Note.</b> For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input type="checkbox"/> Other (see instructions) ▶ _____	
	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>	
	5 Address (number, street, and apt. or suite no.) <b>3110 E. BUS. HWY 83</b>	Requester's name and address (optional)
	6 City, state, and ZIP code <b>WESLACO, TEXAS 78596</b>	
	7 List account number(s) here (optional)	

**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

**Note.** If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

<b>Social security number</b>																					
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<b>OR</b>																					
<b>Employer identification number</b>																					
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7	4	-	2	5	2	9	3	9	5												

**Part II Certification**

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶ <b>9-21-15</b>
------------------	----------------------------	-----------------------

### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.  
**Future developments.** Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at [www.irs.gov/fw9](http://www.irs.gov/fw9).

### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.*

By signing the filled-out form, you:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
- Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,
- The U.S. grantor or other owner of a grantor trust and not the trust, and
- The U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

**Foreign person.** If you are a foreign person, do not use Form W-9. Instead, use the appropriate Form W-8 (see Publication 515, *Withholding of Tax on Nonresident Aliens and Foreign Entities*).

**Nonresident alien who becomes a resident alien.** Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

**Example.** Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity not subject to backup withholding, give the requester the appropriate completed Form W-8.

**What is backup withholding?** Persons making certain payments to you must under certain conditions withhold and pay to the IRS a percentage of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

**Payments you receive will be subject to backup withholding if:**

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the Part II instructions on page 3 for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the instructions below and the separate instructions for the Requester of Form W-9.

Also see *Special rules for partnerships* on page 1.

### Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account, for example, if the grantor of a grantor trust dies.

### Penalties

**Failure to furnish TIN.** If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

**Civil penalty for false information with respect to withholding.** If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

**Criminal penalty for falsifying information.** Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

**Abuse of TINs.** If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

### Specific Instructions

#### Name

If you are an individual, you must generally enter the name shown on your income tax return. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first, and then circle, the name of the person or entity whose number you entered in Part I of the form.

**Sole proprietor.** Enter your individual name as shown on your income tax return on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name/disregarded entity name" line.

**Partnership, C Corporation, or S Corporation.** Enter the entity's name on the "Name" line and any business, trade, or "doing business as (DBA)" name on the "Business name/disregarded entity name" line.

**Disregarded entity.** Enter the owner's name on the "Name" line. The name of the entity entered on the "Name" line should never be a disregarded entity. The name on the "Name" line must be the name shown on the income tax return on which the income will be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a domestic owner, the domestic owner's name is required to be provided on the "Name" line. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on the "Business name/disregarded entity name" line. If the owner of the disregarded entity is a foreign person, you must complete an appropriate Form W-8.

**Note.** Check the appropriate box for the federal tax classification of the person whose name is entered on the "Name" line (individual/sole proprietor, Partnership, C Corporation, S Corporation, Trust/estate).

**Limited Liability Company (LLC).** If the person identified on the "Name" line is an LLC, check the "limited liability company" box only and enter the appropriate code for the tax classification in the space provided. If you are an LLC that is treated as a partnership for federal tax purposes, enter "P" for partnership. If you are an LLC that has filed a Form 9862 or a Form 2553 to be taxed as a corporation, enter "C" for C corporation or "S" for S corporation. If you are an LLC that is disregarded as an entity separate from its owner under Regulation section 301.7701-3 (except for employment and excise tax), do not check the LLC box unless the owner of the LLC (required to be identified on the "Name" line) is another LLC that is not disregarded for federal tax purposes. If the LLC is disregarded as an entity separate from its owner, enter the appropriate tax classification of the owner identified on the "Name" line.

**Other entities.** Enter your business name as shown on required federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name/disregarded entity name" line.

## Exempt Payee

If you are exempt from backup withholding, enter your name as described above and check the appropriate box for your status, then check the "Exempt payee" box in the line following the "Business name/disregarded entity name," sign and date the form.

Generally, individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends.

**Note.** If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding.

The following payees are exempt from backup withholding:

1. An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 402(b)(7) if the account satisfies the requirements of section 401(f)(2).
  2. The United States or any of its agencies or instrumentalities.
  3. A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities.
  4. A foreign government or any of its political subdivisions, agencies, or instrumentalities, or
  5. An international organization or any of its agencies or instrumentalities.
- Other payees that may be exempt from backup withholding include:
6. A corporation,
  7. A foreign central bank of issue,
  8. A dealer in securities or commodities required to register in the United States, the District of Columbia, or a possession of the United States,
  9. A futures commission merchant registered with the Commodity Futures Trading Commission,
  10. A real estate investment trust,
  11. An entity registered at all times during the tax year under the Investment Company Act of 1940,
  12. A common trust fund operated by a bank under section 584(a),
  13. A financial institution,
  14. A middleman known in the investment community as a nominee or custodian, or
  15. A trust exempt from tax under section 664 or described in section 4947.

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 15.

If the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 9
Broker transactions	Exempt payees 1 through 5 and 7 through 13. Also, C corporations.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 5
Payments over \$600 required to be reported and direct sales over \$5,000 <sup>1</sup>	Generally, exempt payees 1 through 7 <sup>2</sup>

<sup>1</sup> See Form 1099-MISC, Miscellaneous Income, and its instructions.

<sup>2</sup> However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney, and payments for services paid by a federal executive agency.

## Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-member LLC that is disregarded as an entity separate from its owner (see *Limited Liability Company (LLC)* on page 2), enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

**Note.** See the chart on page 4 for further clarification of name and TIN combinations.

**How to get a TIN.** If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local Social Security Administration office or get this form online at [www.ssa.gov](http://www.ssa.gov). You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at [www.irs.gov/businesses](http://www.irs.gov/businesses) and clicking on Employer Identification Number (EIN) under Starting a Business. You can get Forms W-7 and SS-4 from the IRS by visiting [irs.gov](http://irs.gov) or by calling 1-800-TAX-FORM (1-800-829-3676).

If you are asked to complete Form W-9 but do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

**Note.** Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

**Caution:** A disregarded domestic entity that has a foreign owner must use the appropriate Form W-8.

## Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, below, and items 4 and 5 on page 4 indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on the "Name" line must sign. Exempt payees, see *Exempt Payee* on page 3.

**Signature requirements.** Complete the certification as indicated in items 1 through 3, below, and items 4 and 5 on page 4.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

**4. Other payments.** You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

**5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions.** You must give your correct TIN, but you do not have to sign the certification.

### What Name and Number To Give the Requestor

For this type of account:	Give name and SSN or:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account <sup>1</sup>
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor <sup>2</sup>
4. a. The usual revocable savings trust (grantor is also trustee) b. So-called trust account that is not a legal or valid trust under state law	The grantor-trustee <sup>3</sup> The actual owner <sup>3</sup>
5. Sole proprietorship or disregarded entity owned by an individual	The owner <sup>3</sup>
6. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulation section 1.671-4(c)(3)(A))	The grantor <sup>3</sup>
For this type of account:	
Give name and EIN or:	
7. Disregarded entity not owned by an individual	The owner
8. A valid trust, estate, or pension trust	Legal entity <sup>3</sup>
9. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
10. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
11. Partnership or multi-member LLC	The partnership
12. A broker or registered nominee	The broker or nominee
13. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
14. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulation section 1.671-4(c)(3)(B))	The trust

<sup>1</sup> List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

<sup>2</sup> Circle the minor's name and furnish the minor's SSN.

<sup>3</sup> You must show your individual name and you may also enter your business or "DBA" name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

<sup>4</sup> List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see special rules for partnerships on page 1.

\*Note. Grantor also must provide a Form W-9 to trustee of trust.

**Note.** If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

### Secure Your Tax Records from Identity Theft

Identity theft occurs when someone uses your personal information such as your name, social security number (SSN), or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN.
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14809.

For more information, see Publication 4535, Identity Theft Prevention and Victim Assistance.

Victims of identity theft who are experiencing economic harm or a system problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes. Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to [phishing@irs.gov](mailto:phishing@irs.gov). You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration at 1-800-368-4484. You can forward suspicious emails to the Federal Trade Commission at [spam@uce.gov](mailto:spam@uce.gov) or contact them at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft) or 1-877-IDT-HEFT (1-877-438-4388).

Visit [irs.gov](http://irs.gov) to learn more about identity theft and how to reduce your risk.

### Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to conduct operations. You must provide your TIN whether or not you are required to file a tax return. Under section 3405, payors must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payor. Certain penalties may also apply for providing false or fraudulent information.

September 22, 2015

**1. Name of firm, owner, address and telephone number.**

LAW OFFICE OF EDDY TREVINO, Eddy Trevino, 3907 S. Sugar Rd. Edinburg, TX 78539, (956) 316-2502.

MARROQUIN LAW FIRM PLLC, Armando J. Marroquin, 421 S. 12<sup>th</sup> St. McAllen, TX 78501, (956) 287-7400.

**2. Personnel Qualifications. Identify the key attorney(s) who will serve in the position of City Attorney; provide his/her resume and summarize his/her experience. Provide the same for other attorneys (if any) in the firm who may assist with the provision of services.**

Eddy Trevino has served as an Hidalgo County Assistant District Attorney, former Hidalgo County Clerk, City Attorney for Donna and private practice for fifteen years.

Armando J. Marroquin has served as an Hidalgo County Assistant District Attorney and been in private practice for ten years. Mr. Marroquin has represented individuals on FMLA, FLSA and employment matters.

**3. Specialized Legal Services Competence. Provide information about the attorney and firm's experience in providing legal services to municipal organizations. Provide at least three references from these organizations including names, contact persons and phone numbers.**

Eddy Trevino has represented the City of Donna for the last five years. In that time he has provided advice to the city on a variety of legal matters that have included but are not limited to:

- State and Federal election laws
- Worker's Compensation
- Advice as well as representing the city in legal matters
- Prosecuting Attorney for the municipal court

Reference 1 Fernando Flores (956) 464-3314

Reference 2 Rene Guerra (956) 207-2556

Reference 3 Earl Arneson (956) 702-7077

**4. Capacity and Capability. Provide information about the attorney and firm's capacity and capability to perform on short notice and in a timely manner. If the appointed City Attorney is not available are there other means of responding to requests?**

Mr. Trevino and Mr. Marroquin are both in private practice. Both are available to perform services as required.

**5. Approach To Communicating With The City. Describe the attorney and firm’s approach to communicating with the City in regard to progress reports, status reports, recommendations, status of opinions, etc.**

Communication with the City is of utmost importance. To ensure that the City is well informed of the opinions and recommendations of the attorneys, memorandums will be issued to the City Manager as well as the rest of the council when requested. Additionally, progress memorandums will be issued when applicable. Finally, attorneys will keep regular office hours to meet with any city staff or council members who need assistance.

**6. Understanding of Services to Be Provided. Describe the attorney’s/firm’s understanding of the scope of work.**

Attorneys are familiar with Texas Open Meeting Act and Texas Public Information Act as well as disclosures of Conflicts of Interest. Attorneys have represented parties on Worker’s Compensations cases, FMLA, FLSA, and ordinance violations. Additionally, attorneys have prosecuted ordinance violations.

**7. Work Schedule and Approach to Project Management. Provide a plan for service delivery, and an explanation of how tasks and projects are managed within the firm to insure timely response and completion.**

Regular office hours would be established for the City Attorney. This will enable City staff the opportunity to meet with attorneys in person. To ensure that all deadlines are met, two separate calendar systems will be kept. Weekly meetings will be held to discuss pending matters as well as to discuss deadlines.

**8. Conflict of Interest. List any clients you currently represent that could cause a conflict of interest with your responsibilities as City Attorney for Weslaco and describe how you would be willing to resolve these or any future conflicts of interest.**

Mr. Eddy Trevino represents the City of Donna and potentially could have a conflict with an ETJ issue. If this were to occur, Mr. Marroquin would handle the matter. Additionally, if any other conflicts arise, either attorney can abstain from the representation of the City on that matter.

**9. Fees. Please provide rates for providing the services described above. Note that the City of Weslaco is requesting fees to be submitted with two options:**

**Option A: Monthly retainer plus hourly fees (indicate specific items to be covered by the retainer)**

**Option B: Hourly fees for all work without a retainer.**

**Option C: Flat fee**

**For hourly fees, please identify hourly rate of each attorney and support personnel, and indicate minimum increment of time billed for services. Also state rates for other cost items proposed to be itemized and billed.**

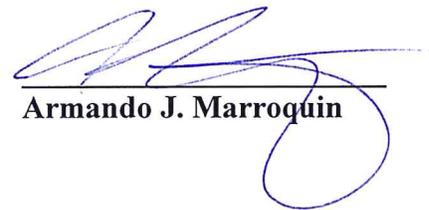
A. Monthly retainer of \$7,500.00 with an hourly rate of \$200.00.

B. Without retainer an hourly fee of \$225.00 is requested.

Charges will be for billable hours of Counsel, unless a particular case is in litigation and an assistant is needed. The rate for an assistant is \$50.00 per hour. If an assistant is needed, a request for approval will be submitted in advance. Hours are billed in six minute increments.

**10. Statement: The attorney or firm, by submitting a proposal, certifies that to the best of its knowledge or belief, no elected or appointed official of the City is financially interested, directly or indirectly, in their firm or in the purchase of services as described in this RFQ. They also certify that the information contained in the Statement of Qualifications is correct and complete to the best of their knowledge.**

  
Eddy Trevino

  
Armando J. Marroquin

# FORMS

**NOTICE OF INTENT TO SUBMIT A STATEMENT OF QUALIFICATION**

If you intend to submit a statement of qualification for **CITY ATTORNEY/LEGAL SERVICES RFQ No.: 2014-15-32** with the City of Weslaco as outlined in the specifications, please indicate your intention by signing, dating, and returning this form to the address below prior to **October 16, 2015**, so that you may receive any addendums to the specifications should the need arise.

**Homer Rhodes  
Buyer II  
City of Weslaco  
Purchasing Department  
255 S. Kansas  
Weslaco, Texas 78596  
Phone : (956) 447-2240  
Fax: (956) 969-8452  
hrhodes@weslacotx.gov**

Name: <u>Armando J. Marroquin</u>	Signature: 
(print)	
Title: <u>Attorney</u>	Company/Agency: <u>Marroquin Law Firm PLLC</u>
Mailing Address: <u>421 S. 12th St.</u>	City/State/Zip: <u>McAllen, TX 78501</u>
Phone: <u>(956) 287-7400</u>	Fax: <u>(956) 287-7401</u>
Email: <u>ajm.law.firm@gmail.com</u>	

**RFP NO. 2014-15-32**  
**CITY ATTORNEY/LEGAL SERVICES**

**ANTI-COLLUSION CERTIFICATION**

By submission of this proposal, the Proposer certifies that:

1. This request for qualifications has been independently arrived at without collusion with any other Proposer or with any competitor;
2. This request for qualifications has not been knowingly disclosed and will not be knowingly disclosed, prior to the opening of proposals for this project, to any other proposer competitor or potential competitor;
3. No attempt has been or will be made to induce any other person, partnership or corporation to submit or not to submit a proposal;
4. The person signing this request for qualifications certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties being applicable to the proposer as well as to the person signing in its behalf.

Date Submitted: 9/22/15

Company Name: Marroquin Law Firm PLLC

Authorized Signature: 

Type Signatory's Name: Armando J. Marroquin

Signatory's Title: attorney/owner

Company Address: 421 S. 12th St.

City/State/Zip Code: McAllen, TX 78501

Agent Name: Armando J. Marroquin

Agent Address: 421 S. 12th St. McAllen, TX 78501

Phone Number: (954) 287-7400

Fax Number: (954) 287-7401

# CONFLICT OF INTEREST QUESTIONNAIRE

For vendor or other person doing business with local governmental entity

FORM  
CIQ

This questionnaire reflects changes made to the law by H.B. 1491, 80<sup>th</sup> Leg., Regular Session.

OFFICE USE ONLY

Date Received

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

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7<sup>th</sup> business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, local Government Code. An offensive under this section is a Class C misdemeanor.

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

none

2  Check this box if you are filling 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 7<sup>th</sup> business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3 Name of local government officer with whom filer has employment or business relationship.

none

Name of Officer

This section, (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001 (1-a), Local Government Code. Attach additional pages to this form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

Yes  NA No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

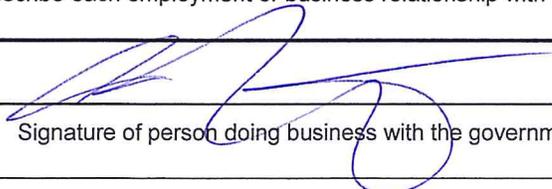
Yes  NA No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes  NA No

D. Describe each employment or business relationship with the local government officer named in this section.

4

  
Signature of person doing business with the governmental entity

9/22/15  
Date

## Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

*Print or type*  
*See separate instructions on page 2.*

Name (as shown on your income tax return) \_\_\_\_\_

Business name/disregarded entity name, if different from above \_\_\_\_\_

Check appropriate box for federal tax classification:  
 Individual/sole proprietor     C Corporation     S Corporation     Partnership     Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) **S**     Exempt payee

Other (see instructions) **S**

Address (number, street, and apt. or suite no.)  
**421 S. 12th St.**

City, state, and ZIP code  
**McAllen, TX 78501**

List account number(s) here (optional) \_\_\_\_\_

Requester's name and address (optional) \_\_\_\_\_

**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 2.

**Social security number**

--	--	--	--	--	--	--	--	--	--

**Employer identification number**

4	6	-	3	2	8	8	3	5	3
---	---	---	---	---	---	---	---	---	---

**Note.** If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

**Part II Certification**

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. citizen or other U.S. person (defined below).

**Certification Instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

**Sign Here**      Signature of U.S. person **[Signature]**      Date **9/22/15**

**General Instructions**

Section references are to the Internal Revenue Code unless otherwise noted.

**Purpose of Form**

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

**Note.** If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

## Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return) <b>Eddy Treviño</b>	
	Business name (disregard entity name, if different from above) <b>Law Office of Eddy Treviño</b>	
	Check appropriate box for federal tax classification: <input checked="" type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) > _____ <input type="checkbox"/> Other (see instructions) > _____	
	<input type="checkbox"/> Exempt payee	
Address (number, street and apt. or suite no.) <b>3907 S. Sugar Rd.</b>		Requester's name and address (optional)
City, state, and ZIP code <b>Edinburg, TEXAS 78539</b>		
List account number(s) held (optional)		

### Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I Instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Social security number								

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Employer identification number								
74	-	2	8	4	4	6	5	5

### Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. citizen or other U.S. person (defined below).

**Certification Instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the Instructions on page 4.

<b>Sign Here</b>	Signature of U.S. person >	Date > <b>9/22/15</b>
------------------	----------------------------	-----------------------

### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

#### Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

# CONFLICT OF INTEREST QUESTIONNAIRE

For vendor or other person doing business with local governmental entity

FORM  
CIQ

This questionnaire reflects changes made to the law by H.B. 1491, 80<sup>th</sup> Leg., Regular Session.

OFFICE USE ONLY

Date Received

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

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7<sup>th</sup> business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, local Government Code. An offense under this section is a Class C misdemeanor.

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

None

2  Check this box if you are filling 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 7<sup>th</sup> business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3 Name of local government officer with whom filer has employment or business relationship.

None  
Name of Officer

This section, (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001 (1-a), Local Government Code. Attach additional pages to this form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

Yes  N/A No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

Yes  N/A No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes  N/A No

D. Describe each employment or business relationship with the local government officer named in this section.

4

[Signature]  
Signature of person doing business with the governmental entity

9/22/15  
Date

# CONFLICT OF INTEREST QUESTIONNAIRE

For vendor or other person doing business with local governmental entity

FORM  
CIQ

This questionnaire reflects changes made to the law by H.B. 1491, 80<sup>th</sup> Leg., Regular Session.

**OFFICE USE ONLY**

Date Received

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

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7<sup>th</sup> business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, local Government Code. An offense under this section is a Class C misdemeanor.

**1** Name of person who has a business relationship with local governmental entity.  
NONE

**2**  Check this box if you are filling 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 7<sup>th</sup> business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

**3** Name of local government officer with whom filer has employment or business relationship.

NONE

Name of Officer

This section, (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001 (1-a), Local Government Code. Attach additional pages to this form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

Yes  NA  No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

Yes  NA  No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes  NA  No

D. Describe each employment or business relationship with the local government officer named in this section.

**4** COMPANY NAME, SIGNATURE OF BIDDER OR PROPOSER

DATE

Signature of person doing business with the governmental entity

Date

\*THIS SAMPLE FORM IS ONLY TO BE USED IF THERE IS NO BUSINESS RELATIONSHIP WITH A CITY OR WITH A CITY OFFICIAL.

RFP No.: 2014-15-32

City of Weslaco

**CITY ATTORNEY/LEGAL SERVICES**  
**RFQ No. 2014-15-32**

RFQ Opening: September 22, 2015 @ 3:00 p.m.

Any and all questions concerning this proposal should be addressed on this form.

Proposal Name: \_\_\_\_\_

Proposal Number: \_\_\_\_\_

Page#: \_\_\_\_\_ Section: \_\_\_\_\_ Paragraph: \_\_\_\_\_

Question: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Company: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

**RFP NO. 2014-15-32**  
**CITY ATTORNEY/LEGAL SERVICES**

**ANTI-COLLUSION CERTIFICATION**

By submission of this proposal, the Proposer certifies that:

1. This request for qualifications has been independently arrived at without collusion with any other Proposer or with any competitor;
2. This request for qualifications has not been knowingly disclosed and will not be knowingly disclosed, prior to the opening of proposals for this project, to any other proposer competitor or potential competitor;
3. No attempt has been or will be made to induce any other person, partnership or corporation to submit or not to submit a proposal;
4. The person signing this request for qualifications certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties being applicable to the proposer as well as to the person signing in its behalf.

Date Submitted: 9/22/15

Company Name: Law Office of Eddy Trevino

Authorized Signature: 

Type Signatory's Name: Eddy Trevino

Signatory's Title: Owner

Company Address: 3907 S. Sugar Rd

City/State/Zip Code: Edinburg, Texas 78539

Agent Name: \_\_\_\_\_

Agent Address: \_\_\_\_\_

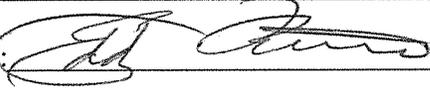
Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

NOTICE OF INTENT TO SUBMIT A STATEMENT OF QUALIFICATION

If you intend to submit a statement of qualification for **CITY ATTORNEY/LEGAL SERVICES RFQ No.: 2014-15-32** with the City of Weslaco as outlined in the specifications, please indicate your intention by signing, dating, and returning this form to the address below prior to **October 16, 2015**, so that you may receive any addendums to the specifications should the need arise.

Homer Rhodes  
Buyer II  
City of Weslaco  
Purchasing Department  
255 S. Kansas  
Weslaco, Texas 78596  
Phone : (956) 447-2240  
Fax: (956) 969-8452  
hrhodes@weslacotx.gov

Name: <u>Eddy Trecono</u>	Signature: 
(print)	
Title: <u>Owner / Attorney</u>	Company/Agency: <u>Law Office of Eddy Trecono</u>
Mailing Address: <u>3907 S. Sagen</u>	City/State/Zip: <u>Edinburg, Tx. 78539</u>
Phone: <u>(956) 316-2502</u>	Fax: <u>(956) 316-2503</u>
Email: <u>attywrt@msv.com</u>	

# Proposal

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Request for Qualifications No. 2014-15-32  
For City Attorney/ Legal Services  
c/o Homer Rhodes  
City of Weslaco-Purchasing Office  
255 South Kansas Office  
Weslaco, Texas 78596

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Submitted By

**PALACIOS**  
**GARZA & THOMPSON**, P.C.  
ATTORNEYS AT LAW

2724 West Canton Road  
Edinburg, Texas 78539

T 956-318-0507 F 956-318-0575

September 22, 2015

## Statement of Qualifications

### I. Name of firm, owner, address and telephone number.

Palacios Garza & Thompson, P.C.  
1824 West Canton  
Edinburg, Texas 78539

Partners: Ricardo Palacios  
William R. Garza  
Lucia Thompson

Associate Attorneys: Criselda Palacios  
Eloy Hernandez  
Mario Palacios

### II. Personnel Qualifications. Identify the key attorney(s) who will serve in the position of City Attorney; provide his/her resume and summarize his/her experience. Provide the same for other attorneys (if any) in the firm who may assist with the provision of services.

- A. Ricardo Palacios, Criselda Palacios and Eloy I. Hernandez will serve as the key attorneys who are proposing to serve in the position of City Attorney for the City of Weslaco.

Ricardo Palacios was born and raised in Edinburg, Texas. In May of 1994, he earned a Bachelor's degree in Business Administration in Accounting from the University of Texas Pan American. He then went on, in 1998, and earned a Doctor of Jurisprudence from Texas Southern University-Thurgood Marshall School of Law and obtained a license to practice law. His career began in 1999 with the County of Hidalgo as a practicing Assistant District Attorney. He spent three years with the county and prosecuted all types of criminal cases, including misdemeanor and felonies, ultimately assigned as the chief felony prosecutor for the 92nd State Judicial District Court of Texas. During his tenure at the Hidalgo County District Attorney's Office, he accomplished his personal goal to practice before every state district judge and county court at law judge in Hidalgo County. In 2002, Mr. Palacios founded Palacios & Associates, P.C. This firm handled a wide variety of legal issues, including, criminal defense, personal injury litigation, family law and governmental law throughout the Rio Grande Valley. Throughout the past ten years, he also has served as General Counsel for the City of Palmview, Texas and the City of Edinburg, Texas. Also, he has assisted the City of McAllen, Texas, the City of San Juan, Texas and the County of Hidalgo, Texas in the areas of civil litigation, civil service, annexations, and city charter amendments. In March of 2014, he co-founded Palacios Garza & Thompson, P.C., a law firm consisting of 6 attorneys. This firm continues to defend complex cases of all sorts in the areas of civil defense for insurance companies, including the

areas of medical malpractice, personal injury, employment law, family law, municipal and governmental law, and school law. Mr. Palacios is also licensed to practice in the United States District Court, Southern District of Texas.

Criselda Palacios was born and raised in Edinburg, Texas. She earned her Bachelor's Degree in Biology with a minor in English at the University of Texas Pan American in May of 2006. In December 2008, she earned a doctor of jurisprudence from Texas Southern University-Thurgood Marshall School of Law. She began her legal profession as an Associate Attorney for Gonzalez Palacios, LLP in May 2009 and gained experience in employment law, contract law, personal injury litigation, specifically construction accidents, motor vehicle accidents, medical malpractice and premises liability cases. In October 2009, Ms. Palacios was given the opportunity to assist the City of Edinburg as general counsel providing legal services in many areas of the law. In addition, since August of 2012, Ms. Palacios has been assigned as Counsel for the City of McAllen, Texas, Civil Service Commission and continues to provide legal services as it pertains to the laws applicable to civil service employees. In February 2013, Ms. Palacios became an Associate Attorney for Palacios & Associates, P.C. During that time, Ms. Palacios began to provide and continues to provide legal services to the City of Palmview and the City of San Juan in the areas of annexations and charter amendment elections. Ms. Palacios is currently an Associate Attorney at Palacios Garza & Thompson, P.C. and has been employed with the firm since April 2014.

Eloy I. Hernandez was born and raised in Pharr, Texas. Mr. Hernandez earned his Bachelor's of Business Administration in Accounting, graduating cum laude, from St. Mary's University in 1994. He earned a doctor of jurisprudence from the University of Texas School of Law in 1997. He became licensed in Texas that same year and began practicing as an associate with the law firm of Garcia, Lopez & Wood in Edinburg, Texas. He practiced there for one year and handled primarily personal injury litigation and employment matters. In 1998, Mr. Hernandez became employed at the Hidalgo County District Attorney's Office as an Assistant Criminal District Attorney. After three months at the District Attorney's office, Mr. Hernandez was promoted to the felony section, where he worked in the various felony district courts for approximately four years. Thereafter, Mr. Hernandez became employed with the law firm of Palacios & Associates, P.C. At that time and currently, his practice primarily consists of state and federal criminal defense work. Mr. Hernandez is also licensed to practice in the United States District Court, Southern District of Texas. Since October 2009, Mr. Hernandez assumed the position as the prosecuting attorney for the City of Edinburg Municipal Court. Currently, he also serves as municipal judge for the City of San Juan and has done so since 2008. In those two roles, he primarily handles arraignments and trials, bond reductions, class C misdemeanors, city ordinance violations and school truancy cases.

- B. William R. Garza, Lucia Thompson and Mario Palacios are proposing to assist with legal services.

William R. "Bill" Garza is a Board Certified Personal Injury Trial attorney with more than 15 years of trial and litigation experience defending serious personal injury cases of all types, including medical malpractice, products liability, motor vehicle accidents, motorcycle accidents, trucking accidents, premises liability and commercial liability. He is licensed to practice in Texas, Oklahoma and The United States District Courts of the Southern District of Texas. Mr. Garza attended Austin College in Sherman, Texas where he earned a Bachelor of Arts (B.A.) degree in Biology in 1996. He then attended South Texas College of Law in Houston, Texas where he earned his Doctor of Jurisprudence (J.D.) degree in May 1999. In August 1999, he moved to McAllen, Texas where he began practicing as an associate attorney at a civil defense law firm handling insurance defense and medical malpractice cases on behalf of hospitals, physicians, and nurses throughout the Rio Grande Valley. Four years later, in 2003, he became a named partner at the firm. In 2007, Mr. Garza obtained his Board Certification in Personal Injury Trial Law, a distinction that is held by less than 2% of all attorneys in the State of Texas. In April 2012, Mr. Garza founded William R. Garza and Associates, PLLC in McAllen, Texas where he and his firm continued to defend a wide variety of civil lawsuits on behalf of insurance companies and their insureds in personal injury cases, including medical malpractice, premises liability, products liability, construction accidents, motor vehicle accidents, and intentional torts. In March 2014, he co-founded Palacios, Garza & Thompson, P.C. in Edinburg, Texas where he and the firm continue to defend complex cases of all sorts. Because of Mr. Garza's experience in handling complex health care liability cases, he is often called upon to provide lectures and seminars for various hospitals throughout Hidalgo County. He is an active member of The College of the State Bar of Texas, The State Bar of Texas, the Hidalgo County Bar Association, and the Cameron County Bar Association.

Lucia "Lucy" Thompson is a Board Certified Family Law Attorney. She was born and raised in McAllen, Texas. In May 1996 she earned a Bachelor's degree in Political Science from Southwestern University. In 1999 she earned a Doctor of Jurisprudence from South Texas College of Law. She began her career at Hodge & James in Harlingen, Texas doing insurance defense work then went on to practice family law at Dale & Klein. In 2003 she joined Griffith & Garza doing insurance defense work and then decided to start her own practice in 2006 focusing on family law. She has represented hundreds of clients in cases with issues involving child custody, division of assets and debts, child support, post nuptial agreements, premarital agreements, spousal maintenance, adoptions, annulments, paternity, and termination of rights. In March 2013, she co-founded Palacios Garza & Thompson, P.C. where she and the firm continue to handle complex cases of all sorts.

Mario Palacios was born and raised in Edinburg, Texas. He graduated from the University of Texas Pan American in 2002 with a Bachelor of Science in Biology.

From 2003-2008, Mr. Palacios was employed by the Edinburg Consolidated Independent School District as a science teacher. It was not until 2008, that Mr. Palacios attended law school. In 2011, he earned his doctor of jurisprudence from Texas Southern University-Thurgood Marshall School of Law and graduated cum laude in May 2011. Prior to obtaining his license as an attorney, Mr. Palacios was employed as a law clerk for Gonzalez Palacios, LLP, and assisted in litigation cases involving medical malpractice. Since obtaining his license in 2012, Mr. Palacios has experience in handling family law, criminal defense, business organization, and real estate matters.

**III. Specialized Legal Services Competence. Provide information about the attorney and firm's experience in providing legal services to municipal organizations. Provide at least three references from these organizations including names, contact persons and phone numbers.**

1. City of Edinburg, Texas  
Ramiro Garza, Jr., City Manager  
415 West University Drive  
Edinburg, Texas 78539  
Phone: (956) 388-8207

Serving as City Attorneys for the City of Edinburg since October 2009, first under the firm, Gonzalez Palacios, L.P., then Palacios & Associates, P.C., and now under the firm Palacios Garza & Thompson, P.C. The following is list that includes, but is not limited to, the duties provided as City Attorneys for the City of Edinburg:

- Serve as Department Head for the City Attorney's office, supervising legal staff of the City of Edinburg.
- Advise, provide legal opinions and represent the City Council, City Manager and City staff on various legal matters as requested.
- Attend and provide legal consultations at all Regular and Special City Council Meetings and Workshops.
- Attend and provide legal consultations at all Planning and Zoning Commission Meetings/Appeals.
- Attend and provide legal consultations at all Zoning Board of Adjustment Meetings/Appeals.
- Attend all Civil Service Commission Meetings.
- Preparing, reviewing and/or revising all Ordinances and Resolutions (concerning annexations, street closure and property disposition, contracts, leases, grants, etc.).
- Preparing, reviewing and/or revising legislative Ordinances (concerning annexation, zoning, development, platting/subdivision, land use, structures, business, traffic, health and safety, facility rental rates, animal, curfew regulation ordinances, etc.).

- Assist City Secretary in any Charter Amendment Election by preparing, reviewing and/or revising amendments and other documents necessary for such election.
- Assist Planning and Zoning Director with the annexation process by preparing, reviewing and/or revising documents necessary for such annexation.
- Preparing, reviewing and/or revising policies, rules and regulations (such as bylaws, personnel policies, police and fire rules and regulations, etc.).
- Provide guidance on compliance with Texas Open Meetings Act, Texas Public Information Act and Competitive Bidding/Competitive Proposal Act, Conflict of Interest and Nepotism Laws.
- Negotiate, prepare, review and/or revise contracts/leases (including contracts for professional services, architect, engineer, surveyor, appraiser and other consultants, high technology, fuel, real estate, including easements, construction, materials, equipment, personal services, water supply, water rights, intergovernmental, solid waste, boundary designations and settlements).
- Assist in acquisition, leasing and disposition of real estate and sites/easements/Rights-of-Way.
- Represent City in litigation matters such as personal injury cases, condemnation cases, breach of contract, construction cases, tax suits, and employment claims.
- Provide legal representation on Civil Service matters for Police and Fire Department, including preparing for and attending Civil Services Commission Appeals/Arbitration Appeals.
- Assist on regulating street, transportation, motor vehicle and traffic safety matters.
- Guide and assist in election matters and procedures, including petition for elections to Civil Service regulations.
- Advise and provide guidance regarding rights, powers, duties, obligations and limitations of the City.
- Advise and provide guidance regarding rights, powers, duties, obligations and limitations of City officials and employees.
- Works cooperatively with the special legal counsel retained by the City for special projects and/or litigation to assure proper management of legal issues, and proper coordination and transition of legal issues among special counsel.
- Assists City officials and employees to maintain awareness of ethical standards and appearance of fairness standards, and to avoid potential conflicts of interest, prohibited transactions and the appearance of prohibited transactions.
- Provide legal advice regarding various employment issues concerning applicable laws and/or regulations for both non-Civil Service and Civil Service employees.
- Assists officials and employees to understand the legal roles and duties of their respective offices and interrelationships with others.

- Provides the governing body and staff a legal perspective and advice on various governmental issues.
  - Performs other legal services and tasks, as assigned by the City Council.
  - Provide Legal Opinions on many of these matters as requested by the governing body and/or staff.
  - Work in together with Economic Development Corporation Counsel by reviewing and/or revising Agreements for economic development projects.
  - Serve as City Prosecutor by preparing for and attending all docket hearings.
2. City of McAllen, Texas  
Kevin Pagan, City Attorney  
1300 Houston Avenue  
McAllen, TX 78501  
Phone: (956) 681-1090

Serving as Counsel for City of McAllen Civil Service Commission since August 2012, first under Gonzalez Palacios, L.P., then Palacios & Associates, P.C., and now under the firm Palacios Garza & Thompson, P.C. The following is list that includes, but is not limited to, the duties provided:

- Advise Civil Service Director on various issues concerning the Civil Service matters pertaining to the Police and Fire Department.
  - Review and/or revise Agenda for Civil Service Commission Meetings and Hearings.
  - Attend all Civil Service Commission Meetings and provide legal consultation for the Civil Service Commission.
  - Prepare all Orders of the Civil Service Commission.
3. City of Palmview, Texas  
Ramon Segovia, City Manager  
400 West Veterans Blvd.  
Palmview, Texas 78572  
Phone: (956) 432-0300

Served as General Counsel for City of Palmview, under Palacios & Associates, P. C. from the year 2005 to the year 2011 and provided similar services as listed under Item 1 of this Section for City of Edinburg. Also, in the year 2013, Palacios & Associates, P.C. served as Special Counsel to assist City of Palmview in annexing part of their Extra Territorial Jurisdiction (ETJ) by preparing, reviewing and/or revising all documents to complete such annexation and attending all City Commission meetings relating thereto.

4. County of Hidalgo, Texas  
Valde Guerra, Commissioners Court Executive Officer  
2818 South Highway Business 281  
Edinburg, Texas, 78539

Phone: (956) 292-7655

Serving as Litigation Attorney representing the County of Hidalgo since November 2012, first under Gonzalez Palacios, L.P., then Palacios & Associates, P.C., and now under the firm Palacios Garza & Thompson, P.C. by providing legal representation for claims and/or lawsuits, including but not limited to, meeting with Hidalgo County staff, answering assigned claims and/or lawsuits, exchanging written discovery, conducting depositions, attending mediations and/or preparing for and/or attending trial.

5. City of San Juan, Texas  
San Juanita Sanchez, Mayor  
709 S. Nebraska Street  
San Juan, TX 78589  
Phone: (956) 223-2200

Serving as Special Counsel for City of San Juan, Texas, by providing legal services, from inception to completion, to amend the City Charter in November 2013 under Palacios & Associates, P.C., and for future Charter Amendments in May 2016 under Palacios Garza & Thompson, P.C.

**IV. Capacity and Capability. Provide information about the attorney and firm's capacity and capability to perform on short notice and in a timely manner. If the appointed City Attorney is not available are there other means of responding to requests?**

Palacios Garza & Thompson, P.C., strives in offering top level legal services by providing various legal consultants who are readily available. Ricardo Palacios, along with other partner and associate attorneys, may be contacted at the office, via cell phone, via facsimile, and via email. However, if a legal matter affecting the City may arise during non-business hours, Mr. Palacios and associate attorneys will be available via cell phone. The firm is prepared to make the key attorneys and assisting attorneys accessible to complete any and all City assignments within a reasonable time. In that regard, the firm has made arrangements for legal consultants to be available within one hour notice to attend unscheduled or urgent meetings. If legal consultants aren't able to attend unscheduled or urgent meeting in person, legal consultants will be available via cell phone in order to be conferenced into meeting.

**V. Approach to Communicating With The City. Describe the attorney and firm's approach to communicating with the City in regard to progress reports, status reports, recommendations, status of opinions, etc.**

Unless otherwise provided for under the operating policies or procedures of the City of Weslaco, requests for legal services may be done over the phone, if time is of the essence, and/or in writing via email by City Commission or staff. Such request should include all facts surrounding the issue and the deadline to respond to such matter in order provide legal services in a prompt and effective manner. Communications by

the assigned attorney with the City Commission and/or staff regarding status reports, recommendation and/or opinion can be done in person, via telephone, or in writing.

**VI. Understanding of Services to Be Provided. Describe the attorney's/firm's understanding of the scope of work.**

It is the firm's understanding that the scope of work being requested by the City of Weslaco includes, but not limited to, the items described under the General Scope of Services for Request for Qualifications No. 2014-15-32.

**VII. Work Schedule and Approach to Project Management. Provide a plan for service delivery, and an explanation of how tasks and projects are managed within the firm to insure timely response and completion.**

An attorney of the firm will be specifically assigned to handle all legal matters as requested by the City of Weslaco. The assigned attorney will attend meetings with City Manager and/or staff on a recurring basis to ensure all projects are timely responded and completed.

**VIII. Conflict of Interest. List any clients you currently represent that could cause a conflict of interest with your responsibilities as City Attorney and describe how you would be willing to resolve these or any future conflicts of interest.**

This firm is currently not representing a client that would cause a conflict of interest with the responsibilities as City Attorney for the City of Weslaco. However, should such conflict arise, the firm will remove themselves from assisting the other client concerning the matter in conflict.

**IX. Fees. Please provide rates for providing the services described above. Note that the City of Weslaco is requesting fees to be submitted with two options:**

**a. Option A: Monthly retainer plus hourly fees (indicate specific items to be covered by the retainer)**

Under Option A, Palacios Garza & Thompson, P.C. is proposing a monthly retainer fee of \$30,000.00 which includes all legal services as provided for in RFQ No. 2014-15-32, except for mediations, arbitrations and litigation matters. All litigations matters, including mediations and arbitrations, will be billed in increments of 0.10 at the hourly rates as follows:

Key Attorneys	\$250.00/hour
Assisting Attorneys	\$225.00/hour
Paralegals	\$100.00/hour

**b. Option B: Hourly fees for all work without a retainer.**

Under Option A, Palacios Garza & Thompson, P.C. is proposing to bill, in increments of 0.10, at the hourly rates as follows:

Key Attorneys	\$200.00/hour
Assisting Attorneys	\$175.00/hour
Paralegals	\$ 85.00/hour

**c. Option C: Flat fee**

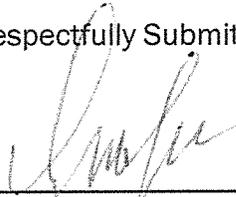
Under Option C, Palacios Garza & Thompson, P.C. is proposing a monthly retainer fee (flat fee) of \$35,000.00.

**For hourly fees, please identify hourly rate of each attorney and support personnel, and indicate minimum increment of time billed for services. Also state rates for other cost items proposed to be itemized and billed.**

**X. Statement:**

Palacios Garza & Thompson, P.C., by submitting this proposal, certifies that to the best of its knowledge or belief, no elected or appointed official of the City is financially interested, directly or indirectly, in the firm or in the purchase of services as described in Request for Qualifications No. 2014-15-32. Palacios Garza & Thompson, P.C. also certifies that the information contained in this Statement of Qualifications is correct and complete to the best of the firm's knowledge.

Respectfully Submitted,



---

Ricardo Palacios,  
PALACIOS GARZA & THOMPSON, P.C.  
2724 West Canton Road  
Edinburg, Texas 78539  
(956) 318-0507

**RFP NO. 2014-15-32**  
**CITY ATTORNEY/LEGAL SERVICES**

**ANTI-COLLUSION CERTIFICATION**

By submission of this proposal, the Proposer certifies that:

1. This request for qualifications has been independently arrived at without collusion with any other Proposer or with any competitor;
2. This request for qualifications has not been knowingly disclosed and will not be knowingly disclosed, prior to the opening of proposals for this project, to any other proposer competitor or potential competitor;
3. No attempt has been or will be made to induce any other person, partnership or corporation to submit or not to submit a proposal;
4. The person signing this request for qualifications certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties being applicable to the proposer as well as to the person signing in its behalf.

Date Submitted:

September 22<sup>nd</sup>, 2015

Company Name:

Palacios Garza & Thompson, P.C.

Authorized Signature:

[Handwritten Signature]

Type Signatory's Name:

Ricardo Palacios

Signatory's Title:

President

Company Address:

2724 West Canton Road

City/State/Zip Code:

Edinburg, Texas 78539

Agent Name:

Ricardo Palacios

Agent Address:

2724 W. Canton Rd. Edinburg, TX 78539

Phone Number:

(956) 318-0507

Fax Number:

(956) 318-0575

# CONFLICT OF INTEREST QUESTIONNAIRE

For vendor or other person doing business with local governmental entity

FORM  
CIQ

This questionnaire reflects changes made to the law by H.B. 1491, 80<sup>th</sup> Leg., Regular Session.

### OFFICE USE ONLY

Date Received

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

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7<sup>th</sup> business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, local Government Code. An offense under this section is a Class C misdemeanor.

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

NONE

**2**  Check this box if you are filling 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 7<sup>th</sup> business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

**3** Name of local government officer with whom filer has employment or business relationship.

NONE

Name of Officer

This section, (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001 (1-a), Local Government Code. Attach additional pages to this form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

Yes  NA No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

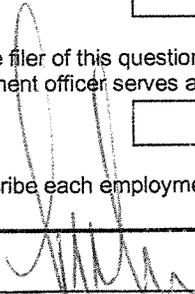
Yes  NA No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes  NA No

D. Describe each employment or business relationship with the local government officer named in this section.

**4**

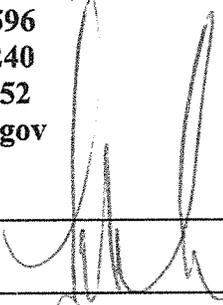
  
Signature of person doing business with the governmental entity

9-22-15  
Date

**NOTICE OF INTENT TO SUBMIT A STATEMENT OF QUALIFICATION**

If you intend to submit a statement of qualification for **CITY ATTORNEY/LEGAL SERVICES RFQ No.: 2014-15-32** with the City of Weslaco as outlined in the specifications, please indicate your intention by signing, dating, and returning this form to the address below prior to **October 16, 2015**, so that you may receive any addendums to the specifications should the need arise.

**Homer Rhodes  
Buyer II  
City of Weslaco  
Purchasing Department  
255 S. Kansas  
Weslaco, Texas 78596  
Phone : (956) 447-2240  
Fax: (956) 969-8452  
hrhodes@weslacotx.gov**

Name: (print)	<u>Ricardo Palacios</u>	Signature:	
Title:	<u>President +</u>	Company/Agency:	<u>Palacios Barza &amp; Thompson, PC</u>
Mailing Address:	<u>2724 West Canton Road</u>	City/State/Zip:	<u>Edinburg, TX 78539</u>
Phone:	<u>(956) 318-0507</u>	Fax:	<u>(956) 318-0575</u>
Email:	<u>Rpalacios@pgtlawfirm.com</u>		

## Request for Taxpayer Identification Number and Certification

**Give Form to the requester. Do not send to the IRS.**

Print or type See Specific instructions on page 2.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. <b>Palacios Garza &amp; Thompson, P.C.</b>		
	2 Business name/disregarded entity name, if different from above		
	3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC. <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input type="checkbox"/> Other (see Instructions) ▶ _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>	
	5 Address (number, street, and apt. or suite no.) <b>2724 West Canton Road</b>	Requester's name and address (optional)	
	6 City, state, and ZIP code: <b>Edinburg TX 78539</b>		
	7 List account number(s) here (optional)		

**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

<b>Social security number</b>									
or									
<b>Employer identification number</b>									
4	6	-	5	3	9	3	2	2	6

**Part II Certification**

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶ <b>9/3/15</b>
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**General Instructions**

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at [www.irs.gov/fw9](http://www.irs.gov/fw9).

**Purpose of Form**

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN); to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.*

By signing the filled-out form, you:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
- Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.



# THE CITY OF EDINBURG

September 18, 2015

To whom it may concern,

It is with sincere pleasure that I provide this Letter of Recommendation for Palacios, Garza & Thompson, P.C. As City Manager for the City Edinburg, I have had the privilege of working together with the attorneys at Palacios, Garza & Thompson, P.C., as our City Attorneys for the past six years, specifically since October 2009. During this time, the firm's attorneys have demonstrated to be very competent, knowledgeable, and experienced in all the areas of law applicable to a municipal entity.

In addition, the firm's attorneys have proven to be capable and dependable in assisting and guiding the City of Edinburg in any legal matters in a timely manner, which allows a more effective and efficient way in accomplishing the goals and business matters of the City.

Furthermore, the firm's attorneys have shown themselves to provide legal services in a professional manner and to be capable representatives as City Attorney for the City of Edinburg.

Should you require further information regarding this matter, please do not hesitate to contact me.

Respectfully,



Ramiro Garza, Jr.  
City Manager





JAMES E. DARLING, Mayor  
HILDA SALINAS, Mayor Pro-Tem and Commissioner District 3  
AIDA RAMIREZ, Mayor Pro-Tem and Commissioner District 4  
RICHARD F. CORTEZ, Commissioner District 1  
TREY PEBLEY, Commissioner District 2  
JOHN J. INGRAM, Commissioner District 5  
VERONICA VELA WHITACRE, Commissioner District 6

ROEL RODRIGUEZ, P.E., City Manager

September 18, 2015

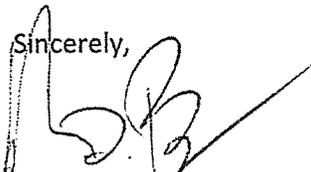
To Whom It May Concern:

Over the past several years, Palacios, Garza & Thompson, P.C. law firm has represented the City of McAllen Police and Firefighter's Civil Service Commission. During that time, the Palacios, Garza & Thompson, P.C. firm's representation of this Commission has been very professional and the attorneys are very knowledgeable in this area of law. They have responded to Commission's requests in a timely and appropriate manner and have always made themselves available to assist in any way that was needed.

In addition, over the years I have interacted with attorneys of this law firm on a number of municipal matters. I have always found them to be knowledgeable and professional in their handling of their various municipal matters in which I have been involved.

At all times and in all of these matters, members of the Palacios, Garza & Thompson, P.C. firm have shown themselves to be knowledgeable, professional, and capable representatives of their clients.

Should you need any further information from me, please do not hesitate to contact me.

Sincerely,  
  
Kevin D. Pagan  
City Attorney

# Ricardo Palacios

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1216 Susan Drive Edinburg TX 78539 | 956-802-2426 | rpalacios@pgtlawfirm.com

## Education

**JURIS DOCTOR | DECEMBER 12, 1998 | TEXAS SOUTHERN UNIVERSITY, THURGOOD MARSHALL SCHOOL OF LAW**

**BACHELOR OF BUSINESS ADMINISTRATION | MAY 15, 1994 | THE UNIVERSITY OF TEXAS PAN AMERICAN**

- Major: Accounting

## Certifications

### LICENSES

- Admitted to practice law by the Supreme Court of Texas, in all state courts June 17, 1999
- Admitted to practice law by the United States of America, United States District Court, Southern District of Texas, May 7, 2004.

## Experience

**FOUNDING PARTNER | PALACIOS GARZA & THOMPSON, P.C. | APRIL 16, 2014 - PRESENT**

- Handled various types of legal matters
- Criminal defense, insurance defense, family law, governmental law (General Counsel for City of Edinburg, Texas; City of McAllen Counsel for City of McAllen Civil Service Commission; Litigation Attorney for County of Hidalgo, Texas)

**PRESIDENT | PALACIOS & ASSOCIATES, P.C. | FEBRUARY, 2013 – MARCH, 2014**

- Handled various types of legal matters
- Criminal defense, personal injury litigation, family law, governmental law (General Counsel for City of Edinburg, Texas; Special Counsel for City of San Juan; City of McAllen Counsel for City of McAllen Civil Service Commission; Litigation Attorney for County of Hidalgo, Texas)

**PARTNER | GONZALEZ PALACIOS, LLP. | JANUARY, 2007 – JANUARY, 2013**

- Handled various types of legal matters
- Criminal defense, insurance defense, family law, governmental law (General Counsel for City of Edinburg, Texas; General Counsel for City of Palmview, Texas; City of McAllen Counsel for City of McAllen Civil Service Commission; Litigation Attorney for County of Hidalgo, Texas)

**PRESIDENT | PALACIOS & ASSOCIATES, P.C. | FEBRUARY, 2004 – DECEMBER, 2006**

- Handled various types of legal matters
- Criminal defense, personal injury litigation, family law, governmental law (General Counsel for City of Palmview, Texas)

**SOLE PRACTICIONER | LAW OFFICE OF RICARDO PALACIOS | DECEMBER, 2001 – JANUARY, 2004**

- Handled various types of legal matters
- Criminal defense, personal injury litigation, family law, governmental law

**ASSOCIATE ATTORNEY | STEVEN M GONZALEZ & ASSOCIATES | MAY, 2001 – NOVEMBER, 2001**

- Handled insurance defense cases and medical malpractice cases

**ASSISTANT DISTRICT ATTORNEY | COUNTY OF HIDALGO | MAY, 1999 – MAY, 2001**

- Prosecuted all types of criminal cases; misdemeanor and felonies.
- Assigned as Chief Felony Prosecutor for the 92<sup>nd</sup> State Judicial District Court of Texas

**CRISELDA PALACIOS**  
2820 Ernesto Drive, Edinburg, TX 78539  
Cell: (956) 605-5876  
E-mail: [cpalacios@pgtlawfirm.com](mailto:cpalacios@pgtlawfirm.com)

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**OBJECTIVE**

To acquire a position in the legal field that will allow me to use and enhance my knowledge and skills to effectively counsel and represent my clients.

**EDUCATION**

**Texas Southern University** Houston, Texas  
Major: Law *August 2006 – December 2008*  
Juris Doctorate Received

**University of Texas Pan American** Edinburg, Texas  
Major: Biology *June 2003 – May 2006*  
Minor: English  
Bachelor of Science Received

**South Texas Community College** McAllen, Texas  
General Studies *September 2002 – August 2003*

**Edinburg High School** Edinburg, Texas  
High School Diploma Received *August 1989 – May 1993*

**WORK EXPERIENCE**

**Palacios Garza & Thompson, P.C., Attorneys at Law** Edinburg, Texas  
*Associate Attorney* *April 2014 – Present*

- Assigned as Attorney for multiple governmental entities for cases involving, personal injury, contracts, employment law, and local government law for clients such as municipal and county governments.
- Draft Client Status Reports, Legal Opinions, Pleadings, Motions, Orders, Contracts, City Ordinances, and Resolutions, etc.
- Prepare case file by obtaining applicable statutes, case law, and supporting documentation.
- Investigate and analyze case file by obtaining all factual allegations, researching and reviewing applicable law, meeting with clients and fact witnesses, requesting written discovery, reviewing all related documents and/or information, obtaining expert opinions, taking depositions, etc.
- Attend and present cases at Court hearings, mediations, and arbitrations.
- Provide legal advice during City Council Meeting, Planning and Zoning Meetings and Zoning Board of Adjustments Meetings;
- Develop and manage relationships with clients by communicating and advising clients regarding status of pending legal matters and future handling of same.

**Palacios & Associates, P.C., Attorneys at Law** Edinburg, Texas  
*Associate Attorney* *February 2013 – March 2014*

- Assigned as a civil defense counsel for cases involving healthcare liability, personal injury, contracts, employment law, and local government law for clients such as physicians, hospitals and municipal and county governments.
- Draft Client Status Reports, Legal Opinions, Pleadings, Motions, Orders, Contracts, City Ordinances, and Resolutions, etc.
- Prepare case file by obtaining applicable statutes, case law, and supporting documentation.
- Investigate and analyze case file by obtaining all factual allegations, researching and reviewing applicable law, meeting with clients and fact witnesses, requesting written discovery, reviewing all related documents and/or information, obtaining expert opinions, taking depositions, etc.
- Attend and present cases at Court hearings, mediations, and arbitrations.
- Provide legal advice during City Council Meeting, Planning and Zoning Meetings and Zoning Board of Adjustments Meetings;
- Develop and manage relationships with clients by communicating and advising clients regarding status of pending legal matters and future handling of same.

**Gonzalez Palacios, LLP, Attorneys at Law** McAllen, Texas  
*Associate Attorney* *May 2009 – January 2013*

- Assigned as a civil defense counsel for cases involving healthcare liability, personal injury, contracts, employment law, and local government law for clients such as physicians, hospitals and municipal and county governments.
- Have handled approximately 20-25 cases at one time.

- Draft Client Status Reports, Legal Opinions, Pleadings, Motions, Orders, Contracts, City Ordinances, and Resolutions, etc.
- Prepare case file by obtaining applicable statutes, case law, and supporting documentation.
- Investigate and analyze case file by obtaining all factual allegations, researching and reviewing applicable law, meeting with clients and fact witnesses, requesting written discovery, reviewing all related documents and/or information, obtaining expert opinions, taking depositions, etc.
- Attend and present cases at Court hearings, mediations, and arbitrations.
- Provide legal advice during City Council Meeting, Planning and Zoning Meetings and Zoning Board of Adjustments Meetings;
- Develop and manage relationships with clients by communicating and advising clients regarding status of pending legal matters and future handling of same.

**Palacios & Love, Attorneys at Law**

*Legal Assistant*

**Edinburg, Texas**

*March 2009 – May 2009*

- Manage law calendar, including scheduling appointments, deadlines, hearings, etc.
- Prepare civil and criminal motions for filing
- Communicate with clients regarding status updates on both civil and criminal files
- Receive client payments
- Handle Docket Control Conferences
- Receive and review attorney docket sheets and notes

**Harris County District Attorney's Office**

*Misdemeanor County Court 5 - Intern*

**Houston, Texas**

*June 2008 – July 2008*

- Prepared daily Court dockets by organizing all files in preparation for all civil and criminal hearings
- Communicated with victims and inquired about the relevant facts of the case, any restitution being requested, type of injuries incurred and the victim's punishment recommendation
- Requested offense reports, accident reports, videos and photos relevant to the case, as well as 911 tapes, DIC 23, 24, & 25 for DWI cases (statutory warnings), Breath test printouts, medical records & receipts
- Attended and observed daily court hearing, and assisted in calling Court docket

**Gonzalez Palacios, LLP**

*Law Clerk*

**McAllen, Texas**

*December 2007 & May 2008*

- Received telephone calls from clients regarding case status
- Assisted in client intake and received payments
- Opened and organized client folders
- Updated status of the case by use of Judicial Search
- Attended procedural hearings with the supervising attorney

**South-Tex Concrete**

*Administrative Assistant*

*Office Manager*

**Edinburg, Texas**

*August 2002 – January 2006*

*June 1993 – August 2002*

- Managed the accounting systems and controls for Days Inn-San Juan, Palacios Brothers Investments/Construction and Monte Cristo Golf & Country Club, including South-Tex Concrete
- Monitored all activities in accounts payable and accounts receivable departments; including but not limited billing, collections, fixed assets, purchase orders, inventory control and vendor payments
- Managed all company accounts, which included reconciling bank accounts
- Held several positions before being promoted to Office Manager, which include Receptionist, Accounts Receivable Clerk, Accounts Payable Manager and Treasurer

**REFERENCES**

Available Upon Request

## ELOY I. HERNANDEZ

### EDUCATION

**Doctor of Jurisprudence, May 1997**

The University of Texas, Austin, Texas

**Bachelor of Business Administration, May, 1994, Magna Cum Laude**

St. Mary's University, San Antonio, Texas; Major: Accounting

### CERTIFICATIONS & LICENSES

**Supreme Court of Texas**, Admitted to practice law, November 1997

**United States District Court, Southern District of Texas**, Admitted to practice law by the United States of America, October 2009

**Municipal Judge, City of San Juan**, 2008 - Present

### EXPERIENCE

**ASSOCIATE ATTORNEY, PALACIOS GARZA & THOMPSON, P.C.**

April 2014 - Present

Handled criminal defense matters; Assisted in general counsel for the City of Palmview, Texas; Assisted as general counsel for The City of Edinburg, Served as the Prosecutor for the City of Edinburg handling primarily arraignments and trials, bond reductions, class C misdemeanors, city ordinance violations and school truancy cases

**ASSOCIATE ATTORNEY, PALACIOS & ASSOCIATES, P.C.**

February 2013 - March 2014

Handled criminal defense matters; Assisted in general counsel for the City of Palmview, Texas; Assisted as general counsel for The City of Edinburg, Served as the Prosecutor for the City of Edinburg handling primarily arraignments and trials, bond reductions, class C misdemeanors, city ordinance violations and school truancy cases

**ASSOCIATE ATTORNEY, GONZALEZ PALACIOS, LLP**

January 2007 - January 2013

Handled criminal defense matters; Assisted in general counsel for the City of Palmview, Texas; Assisted as general counsel for The City of Edinburg, Served as the Prosecutor for the City of Edinburg handling primarily arraignments and trials, bond reductions, class C misdemeanors, city ordinance violations and school truancy cases

**ASSOCIATE ATTORNEY, PALACIOS & ASSOCIATES, P.C.**

January 2004 - December 2006

Handled criminal defense matters and assisted in general counsel for the City of Palmview, Texas

**ASSISTANT DISTRICT ATTORNEY, COUNTY OF HIDALGO, TEXAS**

July 1998 - December 2003

Felony Prosecutor

**ASSOCIATE ATTORNEY, GARCIA LOPEZ & WOOD**

November, 1997 - July, 1998

Handled primarily personal injury litigation and employment matters



STATEMENT OF QUALIFICATIONS  
AND APPLICATION TO  
CITY OF WESLACO  
RFQ NO. 1014-15-32  
CITY ATTORNEY/LEGAL SERVICES

## TABLE OF CONTENTS

1. Statement of Qualifications
2. Resumes
3. References
4. Certifications and Required Documents

**GODINEZ LAW FIRM, P.C.**  
**STATEMENT OF QUALIFICATIONS**

**1. Name of Firm, Owner, Address and telephone**

Ricardo R. Godinez  
Godinez Law Firm, P.C.  
2415 N. 10<sup>th</sup> Street  
McAllen, Texas 78501  
(956) 682-5434 tel.  
(956) 683-1172 fax  
(956) 655-4500 cell  
Email: [ric@godinezlaw.com](mailto:ric@godinezlaw.com)  
State Bar No. 00784137

Ricardo R. (Ric) Godinez has been licensed in the State of Texas and various Texas federal courts since 1992. After working for large law firms in San Antonio and McAllen for six (6) years, Mr. Godinez opened and founded his own law firm in 1998. Currently, the firm is known as the Godinez Law Firm, P.C. and provides a myriad of legal and counseling services to individuals and public and private entities in South Texas, with an emphasis in the Rio Grande Valley. The Godinez Law Firm, P.C. is well-respected in the legal, business and public entity communities, and is known as an effective and efficient problem-solver of complex legal issues.

**2. Personnel Qualifications**

Ricardo R. (Ric) Godinez will be the primary City Attorney, with support from other legal staff and Of Counsel Attorneys of the Godinez Law Firm, P.C. Mr. Godinez has been licensed since November 1992, and has concentrated his practice in the Rio Grande Valley since 1996. While his firm maintains a general litigation practice, for the past 15 years Mr. Godinez' practice has concentrated on representing and counseling individuals and small and medium sized business in employment-related issues and litigation. He has also represented various local government entities on project specific legal cases, including breach of contract and employment-related litigation, as well as counseling and negotiating complex environmental issues. A copy of Mr. Godinez' resume is attached.

In addition to his professional career, Mr. Godinez is an experienced and well-respected public official, having been elected to public office in Hidalgo County three (3) different times. Specifically, Mr. Godinez was the first person elected to District 5 of the McAllen City Commission in 2001 when the City moved to Single Member Districts, and was reelected in 2003 to a full four (4) year term. During his time as McAllen City Commissioner, District 5, Mr. Godinez was appointed to represent the City Commission in negotiating a Collective Bargaining Agreement (CBA) with the McAllen Police union.

Mr. Godinez introduced Interest-Based Bargaining (IBB) to the process, which resulted in a negotiated CBA with the Police union in less than three (3) weeks. In addition, Mr. Godinez has been appointed to numerous civic and charitable boards, including the McAllen Planning & Zoning Commission where he has served since 2012 in following and implementing McAllen's land use plan. In 2014, Mr. Godinez was elected County Chair of the Hidalgo County Democratic Party, which he currently holds today. His experience as an elected and appointed public official gives him a unique prospective and insight of the challenges that local entities and their elective body commonly face.

In addition, the Godinez Law Firm, P.C. has established strategic Of Counsel relationships with attorneys that assist the Firm's delivery of legal and counseling services to its clients. Carlos Escobar, a 15 year attorney, whose practice concentrates on litigation and appellate matters, will be the secondary attorney in the event Mr. Godinez is unavailable. A copy of Mr. Escobar's resume is also attached. In addition, Oscar Vega, a 22 year attorney, whose practice concentrates on criminal and family law matters, may be available in the event that Mr. Godinez or Mr. Escobar are both unavailable. Mr. Vega may also be available as a prosecuting attorney for the City of Weslaco's municipal court.

### **3. Specialized Legal Services Competence**

Throughout his approximately 23 year legal career, Mr. Godinez has represented several local governmental entities on a variety of legal matters. As a young associate working in San Antonio, Mr. Godinez worked for the law firm of Davidson & Troilo (formally Sawtelle, Goode, Davidson & Troilo) and was assigned to work with the firm's largest client, San Antonio Water Systems (SAWS), on a variety of issues, including attending SAWS general meetings; advising SAWS board members on the Open Meetings Act, employment issues, and other public law matters; and representing SAWS in employee disciplinary proceedings. Mr. Godinez also represented local public entity clients of the firm through risk-pool litigation, as well as represented various water districts in the Rio Grande Valley. During his time in San Antonio, Mr. Godinez is most proud of his representation of a Valley water district in front of the Justice Department after the public entity went through redistricting. He obtained Justice Department approval of the redistricting plan upon the first application, a very rare achievement. His legal work and public official career has exposed Mr. Godinez to numerous legal and other expert professionals in area-special legal matters. These relationships may be utilized to provide legal and consulting services to the City of Weslaco.

Since opening his own law firm in 1998, Mr. Godinez practice has focused on civil litigation matters, with an emphasis on employment-related litigation and counseling of small and medium-sized businesses. He has more than 15 years of experience dealing with the Texas Labor Code, Title VII of the Civil Rights Act, Workers Comp, Americans with Disabilities Act, Family Medical Leave Act, and numerous other state and federal statutes affecting the employer-employee relationship.

Mr. Godinez has also had the opportunity to work with and for several local governmental entities on project specific, and often complex, legal matters since 2000. For example, in 2005 – 06, Mr. Godinez represented the City of Mission in regards to the potential public nuisance and health hazard of the Hayes-Sammons Warehouse, a former pesticide/herbicide manufacturing facility near a residential neighborhood that was heavily contaminated. Mr. Godinez negotiated with the EPA on the demolition of the warehouse and remediation of the property and surrounding areas, with the EPA picking up 100% of the hard costs. Mr. Godinez has also represented individual elected officials for the City of McAllen during conflict situations, and recently was able to get a complex lawsuit filed against a local elected official by a Texas governmental risk pool dismissed without any liability to the City.

In addition, Carlos Escobar, Of Counsel to the Godinez Law Firm, P.C., has represented several local governmental entities on a variety of legal issues, litigation, and appeals, including Port Isabel ISD, Laguna Madre Water District, City of Combes, City of Santa Rosa, and Starr County. Oscar Vega, also Of Counsel, has extensive criminal law experience that can assist the City of Weslaco in matters that pertain to the municipal court.

#### **4. Capacity and Capability**

The Godinez Law Firm, P.C. uses the most advanced and latest technology to service its clients. The Firm utilizes a practice management software that ensures effective, efficient and organized case files for its clients, and is currently working on a Client Portal to provide anytime access to case files, status and information on a client's case. In addition, all attorneys and staff utilize and make available to all clients the latest smart phone technology allowing clients' access to attorneys and staff 24 hours a day via cell phone, text and instant messaging technology. In the event Mr. Godinez is not immediately available, Carlos Escobar, Of Counsel to the Firm and a 15 year attorney with extensive municipal experience, will also be available on short notice. Of Counsel Attorney Oscar Vega will also be available on short notice to deal with criminal matters arising out of duties of the municipal court, if any.

#### **5. Approach to Communicating with the City**

Mr. Godinez learned early on that the number one complaint of clients is lack of communication. He has implemented a culture at the Firm that requires all client calls, inquiries and questions be responded to, either verbally or in writing, immediately and in no event later than 24 hours after it is received. In addition, for institutional clients, general progress and status reports are provided on an as needed basis or as the client directs.

For non-litigation long term projects and/or complex matters (e.g. will take several weeks or months to resolve or involve complex or sensitive matters, such as labor issues), Mr. Godinez proposes weekly or bi-weekly reports directly to the City Manager for distribution

to the Mayor, City Commission and others whom the City Manager feels need the information. Of course, others to be included on these reports shall be directed by the City Manager.

For litigation matters, Mr. Godinez will provide an initial case analysis, litigation plan and cost analysis, as well recommendations for defense strategy and/or settlement, as the case may require. The initial case analysis will be updated as the case progresses and discovery is conducted to allow the Mayor and City Commission up-to-date information in order to evaluate each case early on to provide the client the most efficient method of resolving the case.

#### **6. Understanding of Services to Be Provided**

Mr. Godinez has the unique perspective of an attorney representing local governmental entities, and the expectations of elected and appointed officials who receive such legal advice and representation. As such, he understands fully the broad scope of legal and counseling services to be provided to the Firm's public entity clients, as well as the success and efficiency of such legal services demanded by the public officials and the tax-paying constituents which they serve.

#### **7. Work Schedule and Approach to Project Management**

In addition to attending regular and special-called meetings of the City Commission, every litigation case and legal project shall be assigned an attorney and a legal assistant/secretary for completion. Weekly meetings of all staff are held within the Firm to discuss case and legal project status, as well as a review of approaching deadlines (e.g. within the next seven (7) days) and 30-day Firm calendar review to be ensure all deadlines are met and projects are completed timely. In addition, the project management software and other technology implemented by the Firm ensure that cases and projects are timely completed, with an emphasis on any client internal deadlines which the Firm has been made aware.

#### **8. Conflict of Interest**

To date, the Firm does not have any current clients or cases that could cause a conflict of interest between the Firm, its attorneys and the City of Weslaco. Mr. Godinez has represented McAllen Professional Law Enforcement Association and other CLEAT affiliates in the Rio Grande Valley in the past. However, Mr. Godinez withdrew from representing MPLEA and other CLEAT affiliates in 2001 when he was elected McAllen City Commissioner, and has not represented those entities since that time. It is not believed that this previous professional relationship causes any conflict with the City of Weslaco.

The Godinez Law Firm, P.C. has an extensive and thorough conflicts check for potential new clients to ensure that no future or potential conflicts of interest exist or will occur during the representation between existing or new clients of the Firm. The Godinez Law Firm, P.C. will refrain from any new client that has or may have a potential conflict of interest with the City of Weslaco that is apparent during new case review and client selection. However, sometimes those conflicts are not apparent at the outset of the representation. In that case, when conflicts and potential conflicts become known or are discovered, the Godinez Law Firm, P.C. would either transfer the case to separate outside counsel, or obtain the necessary conflict waivers from all clients after disclosure, as permitted by the disciplinary rules of the State Bar of Texas. The decision to allow such waiver shall always be the prerogative and discretion of the client, including the City of Weslaco.

## 9. Proposed Fees

**Normal Hourly Fees:** The attorneys and legal staff of the Godinez Law Firm, P.C. charge the following normal hourly rates to its clients, depending on the type of legal services provided and client:

Ricardo R. Godinez	\$275.00 – 325.00/hour
Carlos Escobar	\$200.00 – 275.00/hour
Oscar Vega	\$200.00 – 275.00/hour
Legal Assistants	\$ 90.00 – 125.00/hour

In addition, all out-of-pocket expenses incurred shall be billed at cost, with internal charges of hard paper copies of \$0.30/pg and \$1.00/hr per page of outgoing faxes. Based upon the RFQ, the Firm proposes the following Fee Schedule:

**Option A:** \$15,000.00/month monthly non-refundable retainer due on the first of each month, from which all legal services shall be deducted at an hourly rate of \$250.00/hour for attorneys and \$100/hour for legal assistants. The monthly retainer shall be non-refundable so that if the entire amount is not used any balance shall not carry over to the following month.

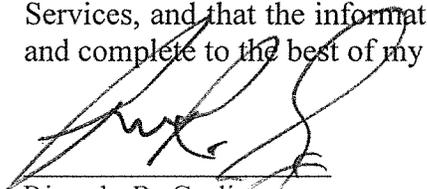
**Option B:** At the beginning of each month, a fee statement shall be forwarded to Client of all work performed in the previous month, with payment due upon receipt. The Firm proposes the following rates to the City of Weslaco:

Ricardo R. Godinez	\$300.00/hour
Carlos Escobar	\$250.00/hour
Oscar Vega	\$250.00/hour
Legal Assistants	\$115.00/hour

**Option C:** The Godinez Law Firm, P.C. is prepared to negotiate flat fees for specific, routine, on-going legal tasks for the City of Weslaco.

**10. Statement**

By submitting this proposal and to the best of my knowledge and belief, I hereby certify that no elected or appointed official of the City of Weslaco is financially interested, either directly or indirectly, in the Godinez Law Firm, P.C. or in the purchase of services as described in the Request for Qualifications No. 2014-15-32 for City Attorney/Legal Services, and that the information contained in this Statement of Qualifications is correct and complete to the best of my knowledge.

  
\_\_\_\_\_  
Ricardo R. Godinez  
Founding & Managing Partner  
Godinez Law Firm, P.C.

9/22/2015  
Date

**Ricardo R. (Ric) Godinez**  
1413 Redbud  
McAllen, Texas 78503  
[ric@godinezlaw.com](mailto:ric@godinezlaw.com)  
(956) 682-5434 wk/(956) 655-4500 cell

**Education:**

University of Houston Law Center, J. D., 1992  
Houston, Texas  
Phi Delta Phi Honorary Legal Society

University of Texas at Austin, B.B.A. in Int'l Business and Minor in Finance, 1989  
Austin, Texas

**Licenses and Certifications:**

Licensed by the State Bar of Texas, 1992  
Also licensed by the following Courts:  
U.S. District Courts of Texas: Southern, Northern and Western Districts

No current certification or specialization by the State Bar of Texas.

**Professional Experience:**

Godinez Law Firm, P.C. January 2003 - Present  
*Principal and Sole Shareholder*  
2415 N. 10<sup>th</sup> Street  
McAllen, Texas 78501  
*General legal practice, including real estate, contracts, employment law, products liability, public law, civil litigation (plaintiff and defense) and state and federal criminal defense*

Law Offices of Ricardo R. Godinez August 2001 – December 2002  
*Sole Proprietor*  
520 Pecan, Suite G  
McAllen, Texas 78501  
*General legal practice, including real estate, contracts, employment law, products liability, public law, civil litigation (plaintiff and defense) and state and federal criminal defense*

Godinez & Peralez, L.L.P. July 1998 – August 2001  
*Principal and Founding Shareholder*  
5200 N. McColl, Suite 3  
McAllen, Texas 78504  
*General legal practice, including real estate, contracts, employment law, products*

*liability, public law, civil litigation (plaintiff and defense) and state and federal criminal defense*

Jarvis & Kittleman, L.L.C.

August 1996 – June 1998

*Senior Associate*

McAllen, Texas

*General civil litigation and business law counseling, including employment, environment, contracts, consumer law, and business litigation*

Shelton, Lotz & Valadez, L.L.P.

May 1994 – June 1996

*Associate*

San Antonio, Texas

*General civil defense litigation, including medical malpractice, premises liability, employment, and general civil litigation*

Davidson & Troilo, P.C.

September 1992 – April 1994

*Associate*

San Antonio, Texas

*General civil practice, including public law, water law, and personal injury defense*

**Community/Political Involvement:**

City of McAllen,

City Commissioner -- District 5, 2001 – 2005

McAllen Planning & Zoning Commissioner, 2012 – Present

McAllen Boys & Girls Club, Board Member, 2001 – 2012, President, 2010

Hidalgo County,

Advocacy Resource Center for Housing (ARCH), Board Member, 1998 – 2000

Hidalgo County Democratic Party, Chair 2014 – Present

Hidalgo County Economic Advisory Committee, Member, 2010

Advocacy Alliance Center of Texas, Inc. (AACT), Board Member, 2014 – Present

Hidalgo County Elections Commission, Member, 2014 - Present

**Personal:**

Born: December 20, 1966, San Antonio, Texas

Children: Ricky (17), Nathan (15), Lillie Marie (13), Abigail (9)

Hobbies: Hunting, Fishing, Camping

Languages: English, Spanish

# Carlos Escobar



2415 North 10th Street • McAllen, Texas 78501 • Phone: 956 682 5434 • Fax: 956 683 1172 • E-Mail: carlos@escobarlawfirm.com

## Experience

Escobar Law Firm, PLLC

April 2011 - Present

- Civil Litigation and Trial Lawyer
- Managing member and owner of Escobar Law Firm, PLLC representing primarily plaintiffs in various aspects of civil litigation claims including wrongful death / survival claims, medical malpractice, personal injury, first party insurance claims, consumer claims and breach of contract actions.
- Civil Appeals
- Handling all types of civil litigation appeals including mandamus actions and accelerated interlocutory appeals.

Magallanes & Hinojosa, P.C.

August 2001 - March 2011

- Civil Litigation and Trial Lawyers
- Associate Attorney (2001-2005) and then Junior Partner (2005-2011) representing primarily plaintiffs in various aspects of civil litigation claims including wrongful death / survival claims, medical malpractice, personal injury, first party insurance claims, consumer claims and breach of contract actions.
- Civil Appeals
- Handling all types of civil litigation appeals including mandamus actions and accelerated interlocutory appeals.
- Governmental Representation
- Served as counsel to various governmental entities such as the Point Isabel Independent School District, Laguna Madre Water District, City of Combes, and the City of Santa Rosa.

Griffith, Saenz & Hill

August 2000 - August 2001

- Civil Litigation Defense, defending individuals on behalf of various insurance carriers in Texas.

## Education

John Marshall Law School, Chicago Illinois

1996-1999

Juris Doctor

University of Texas at San Antonio

1991-1995

Bachelor of Arts, Political Science

## Law License

Supreme Court of Texas 2000

United States Southern District of Texas 2000

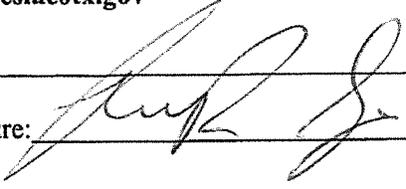
## REFERENCES

1. Ruben R. Barrera  
Attorney/Shareholder  
Langley & Banack, Inc.  
745 East Mulberry, Suite 900  
San Antonio, Texas 78212  
(210) 736-6600  
[rbarrera@langleybanack.com](mailto:rbarrera@langleybanack.com)  
*Former supervising attorney in San Antonio*
2. Mayor Norbeto Salinas  
City of Mission  
1201 E. 8<sup>th</sup> Street  
Mission, TX 78572  
(956) 580-8650  
Client and personal friend
3. Kevin Pagan, City Attorney  
City of McAllen  
1300 Houston Avenue  
McAllen, Texas 78501  
(956) 681-1090  
[k.pagan@mcallen.net](mailto:k.pagan@mcallen.net)  
Client, professional colleague and personal friend

**NOTICE OF INTENT TO SUBMIT A STATEMENT OF QUALIFICATION**

If you intend to submit a statement of qualification for **CITY ATTORNEY/LEGAL SERVICES RFQ No.: 2014-15-32** with the City of Weslaco as outlined in the specifications, please indicate your intention by signing, dating, and returning this form to the address below prior to **October 16, 2015**, so that you may receive any addendums to the specifications should the need arise.

**Homer Rhodes  
Buyer II  
City of Weslaco  
Purchasing Department  
255 S. Kansas  
Weslaco, Texas 78596  
Phone : (956) 447-2240  
Fax: (956) 969-8452  
hrhodes@weslacotx.gov**

<b>Name:</b> (print)	Ricardo R. Godinez	<b>Signature:</b>	
<b>Title:</b>	President	<b>Company/Agency:</b>	Godinez Law Firm, P.C.
<b>Mailing Address:</b>	2415 N. 10th Street	<b>City/State/Zip:</b>	McAllen, Texas 78501
<b>Phone:</b>	(956) 682-5434	<b>Fax:</b>	(956) 683-1172
<b>Email:</b>	ric@godinezlaw.com		

**CONFLICT OF INTEREST QUESTIONNAIRE**

For vendor or other person doing business with local governmental entity

**FORM  
CIQ**This questionnaire reflects changes made to the law by H.B. 1491, 80<sup>th</sup> Leg., Regular Session.

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

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7<sup>th</sup> business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, local Government Code. An offensive under this section is a Class C misdemeanor.

**OFFICE USE ONLY**

Date Received

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

None

**2**  Check this box if you are filling 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 7<sup>th</sup> business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

**3** Name of local government officer with whom filer has employment or business relationship.

None

\_\_\_\_\_  
Name of Officer

This section, (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001 (1-a), Local Government Code. Attach additional pages to this form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

Yes  NA No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

Yes  NA No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes  Na No

D. Describe each employment or business relationship with the local government officer named in this section.

**4**\_\_\_\_\_  
Signature of person doing business with the governmental entity\_\_\_\_\_  
Date

**RFP NO. 2014-15-32**  
**CITY ATTORNEY/LEGAL SERVICES**

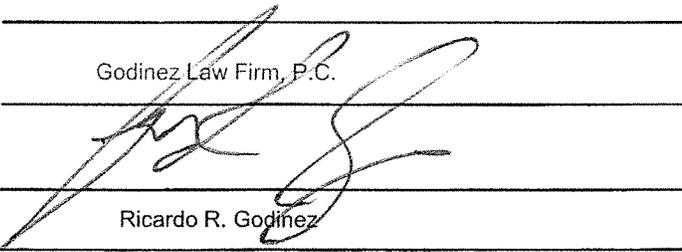
**ANTI-COLLUSION CERTIFICATION**

By submission of this proposal, the Proposer certifies that:

1. This request for qualifications has been independently arrived at without collusion with any other Proposer or with any competitor;
2. This request for qualifications has not been knowingly disclosed and will not be knowingly disclosed, prior to the opening of proposals for this project, to any other proposer competitor or potential competitor;
3. No attempt has been or will be made to induce any other person, partnership or corporation to submit or not to submit a proposal;
4. The person signing this request for qualifications certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties being applicable to the proposer as well as to the person signing in its behalf.

Date Submitted: 9/22/15

Company Name: Godinez Law Firm, P.C.

Authorized Signature: 

Type Signatory's Name: Ricardo R. Godinez

Signatory's Title: President

Company Address: 2415 N. 10th Street

City/State/Zip Code: McAllen, Texas 78501

Agent Name: Ricardo R. Godinez

Agent Address: 2415 N. 10th Street, McAllen, Texas 78501

Phone Number: (956) 682-5434

Fax Number: (956) 683-1172

## Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return) <b>Godinez Law Firm, PC</b>	
	Business name/disregarded entity name, if different from above	
	Check appropriate box for federal tax classification: <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input checked="" type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate  <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____  <input type="checkbox"/> Other (see instructions) ▶ _____	Exemptions (see instructions):  Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____
	Address (number, street, and apt. or suite no.) <b>2415 N. 10th Street</b>	Requester's name and address (optional)
City, state, and ZIP code <b>McAllen, TX 78501</b>		
List account number(s) here (optional)		

### Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Social security number								

**Note.** If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Employer identification number									
8	2	-	0	5	8	4	0	4	5

### Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below), and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here	Signature of U.S. person ▶	Date ▶ <b>9/22/2015</b>
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### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.  
**Future developments.** The IRS has created a page on [IRS.gov](http://IRS.gov) for information about Form W-9, at [www.irs.gov/w9](http://www.irs.gov/w9). Information about any future developments affecting Form W-9 (such as legislation enacted after we release it) will be posted on that page.

#### Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, payments made to you in settlement of payment card and third party network transactions, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the

withholding tax on foreign partners' share of effectively connected income, and

4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct.

**Note.** If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

9.22.15

Homer Rhodes  
City of Weslaco  
Purchasing Office  
255 S. Kansas Av  
Weslaco, Texas 78596

Re: **SUBMISSION OF SEALED QUALIFICATION STATEMENT**

RFQ No.: 2014-15-32 City Attorney/Legal Services

Dear Mr. Rhodes:

I take this time to express my firm's interest in joining your municipality as City Attorney by offering years of experience, knowledge, and work ethic. The firm has successfully advised and counseled elected officials, government personnel, and boards of directors.

**Law Firm.**

The firm is owned and managed by Michael Pruneda. The address is P.O. Box 1664, Pharr, Texas 78577. The telephone number is (956) 702-9675.

**Personnel Qualifications.**

The law firm is managed by Michael Pruneda who is licensed to practice law in Texas and New York. Pruneda has over fifteen (15) years of legal experience. Of counsel attorneys include: Julian Gomez who is a former clerk of the Honorable Filemon Vela and the Honorable Reynaldo G. Garza; Alejandro Ballesteros Gonzalez who is a former Assistant Criminal District Attorney of Bexar County, and Roland Quintana a former briefing attorney of Texas Supreme Court Justice Wallace B. Jefferson.

**Specialized Legal Services and Competence.**

My law firm has represented local governments for over thirteen (13) years. The firm represented the Pharr Economic Development Corporation, the City of La Joya for three (3) years, and the City of Pharr for ten (10) years.

As legal counsel for the above entities, the firm has litigated and defended the interests of the local governments, provided legal opinions on various topics including conflicts of interest, open meetings and public information laws, procurement, election laws, community planning and land use, civil service, collective bargaining, occupancy taxes, and matters involving economic development strategy and negotiations. The firm's proactive approach also has overseen the implementation of new policy through ordinances, resolutions, personnel handbooks, and incentive programs.

Our firm has also overseen, advised, and counseled during the negotiation of letters of intent, annexation and extra-territorial jurisdiction planning and litigation, memorandums of understanding, 380 agreements, naming rights and sponsorship agreements, development of public – private partnerships, formation of governmental corporations and Tax Increment Reinvestment Zones, employment agreements, and indemnity and non-disclosure agreements and releases. The development, negotiation, and execution of municipal agreements has included the following: Pappadeux, Costco, At Home, HEB, Pharr Town Center (formerly El Centro Mall), and other pending development.

The firm has over fifteen (15) years of experience in employment and labor laws related directly to: employment contracts, civil rights, discrimination, sexual harassment, whistleblower claims, workers' compensation, wage disputes, and other unlawful employment practices.

### **References**

Feel free to contact any of the following listed persons for any reference that you may need:

Honorable Arturo Cortez (former Pharr Commissioner) – (956) 739-2106

Honorable Fito Salinas (Mayor of La Joya) – (956) 263-9075

Honorable Adan Farias (former Pharr Mayor-Pro Tem) – (956) 279-2296

### **Capacity and Capability.**

The law firm is able to respond to requests in a timely manner whenever advice or representation may be necessary with short notice. The firm will always have an attorney available to the municipality.

## **Approach to Communicating with the City.**

The law firm and of counsel attorneys will provide services, reports, and guidance in a method preferred by the elected governing body and the City Manager. This may include personal conferencing, email, texting, and telecommunications.

## **Understanding of Services to be provided.**

The many years of experience representing local governments allows all of us to understand the scope of the day to day operations of the City Manager and all departments and divisions of the City.

## **Work Schedule and Project Management.**

The law firm's approach to managing the daily legal operations includes personal conferencing with the elected governing body and the City Manager to obtain the municipality's prioritization on internal management, long term community planning, and pending litigation. Once the municipal priorities are communicated, attorney services can be customized to address schedules and projects efficiently.

## **Conflicts of Interest.**

The law firm is not representing any other local entities at this time and has no litigation pending against the interests of your municipality. No conflicts of interest exist.

## **Fees.**

**Option A:** The firm proposes an hourly rate of \$175.00 for all general counsel and litigation services plus the reimbursement of all associated expenses at their actual cost including mileage, travel, filing fees, expert fees, discovery costs, and document preparation.

**Option B:** Alternatively, the firm would propose a retainer of \$5,000 monthly, an hourly rate of \$175.00 for all general counsel and litigation services, plus the reimbursement of all associated expenses and their actual cost including mileage, travel, filing fees, expert fees, discovery costs, and document preparation.

The law firm is also open to negotiate compensation terms that may meet the specific needs of the municipality.

**Statement.**

My firm certifies that no elected or appointed official of your municipality is financially interested, directly or indirectly, in the firm or the purchase of services as described in the RFQ. The information contained herein is correct and complete to the best of our knowledge.

My firm is in good standing with the State Bars of Texas and New York.

The firm's attorneys are also currently compliant with all required CLE hours. The firm also currently maintains malpractice insurance from Texas Lawyers' Insurance Exchange.

I want to thank you for the opportunity and ask for your consideration of the application materials. I will earnestly await your response and remain,

Sincerely,

*/s/ Michael Pruneda*

Michael Pruneda

Encl.

**CURRICULUM VITAE**  
**of**

**MICHAEL PRUNEDA**

JURISDICTION: May 2000, Texas  
May 2002, Southern District of Texas (federal)  
May, 2015, New York State Supreme Court

ASSOCIATIONS: State Bar of Texas  
New York State Bar

Michael Pruneda is a 1991 graduate of Pharr-San Juan-Alamo High School in Pharr, Texas. Pruneda earned a *Bachelor of Science* in Criminal Justice and a *minor* in English in 1995 from the University of Texas-Pan American, and thereafter earned a *Jurisdoctorate* from Texas Wesleyan University—School of Law in 1999 (now Texas A&M University School of Law).

Pruneda became licensed to practice law in Texas in 2000 and New York in 2015. Pruneda served as an associate attorney for the law firm of Aaron Peña & Associates, Inc. in Edinburg from 2000-2001. Pruneda practiced civil trial litigation with a focus on labor, employment, and civil rights cases. Pruneda prepared briefs and argued cases before all trial courts.

Since 2001, Pruneda has owned and operated a professional limited liability company, and served as Pharr City Attorney for ten years. Pruneda has practiced for nearly fifteen years in the areas of: labor, employment, public and private contracts, arbitration, civil rights, government, corporate, and defense. Pruneda also represents clients before administrative tribunals and local, county, state, and federal courts.

# Julian Gomez

Attorney at Law

August 24, 2015

## Curriculum Vita

### Employment

*Managing Partner*—**The Julian C. Gomez Law Firm, PLLC**, McAllen, Texas  
September 2002-Present

*Law Clerk for the Honorable Filemon B. Vela*—**United States District Court—Southern District of Texas**, Brownsville, Texas August 2001-July 2002

*Law Clerk for the Honorable Reynaldo G. Garza*—**United States Court of Appeals—Fifth Circuit**, New Orleans, Louisiana / Brownsville, Texas. August 2000-July 2001

### Education

University of Houston Law Center, Houston, Texas, J.D., May 2000

Texas A&M University (Corps of Cadets), College Station, Texas, B.S. in Agriculture Economics, December 1996

### Professional Memberships, Achievements, and Speaking Engagements & Publications

- Past-Chairman and Executive Board Member, American Association for Justice's (formerly Association of Trial Lawyers of America) Product Liability Section (the largest Plaintiff Attorney Product Liability Organization in the United States)
- Board of Director, Attorney's Information Exchange Group (the largest automotive plaintiff product liability organization in the United States)
- Board of Director, McAllen Educational Foundation (Advisory Board to the McAllen Independent School District)
- Advisory Board of Director, Texas International Fishing Tournament (the largest saltwater fishing tournament in the State of Texas)
- Member of the Bar Association of the Fifth Federal Circuit, College of the State Bar of Texas, American Association for Justice (formerly Association of Trial Lawyers of America), Texas Trial Lawyers Association, and Attorney's Information Exchange Group
- Planning Committee Member, State Bar of Texas 26th Annual Advanced Evidence and Discovery Continuing Legal Education Course
- Special Liaison between the American Association for Justice's (formerly Association of Trial Lawyers of America) Product Liability Section and the

The Julian C. Gomez Law Firm <sup>P.L.L.C.</sup>

1602 Dulcinea, Edinburg, Texas 78539

Telephone 956.682.6959 Facsimile 956.971.8389

Email [jcg@jcglf.com](mailto:jcg@jcglf.com) Website [www.jcglf.com](http://www.jcglf.com)

- National Highway Traffic Safety (NHTSA)
- Special Liaison between the Attorney's Information Exchange Group (formerly Association of Trial Lawyers of America) Product Liability Section and the National Highway Traffic Safety (NHTSA)
- Graduate of The Trial Lawyers College, Thunder Head Ranch, Dubois, Wyoming
- Dallas White Rock Marathon—completion in a time of 3:45:04
- Faculty & Speaker, "Preparing Initial Discovery Requests," Attorney's Information Exchange Group's 2008 Auto Focus, San Antonio, Texas
- Faculty & Speaker, "Do Not Let the Speed Bumps Get in the Way of a Good Auto Products Case," Starr County, Texas's 2009 Continuing Legal Education Seminar, Rio Grande City, Texas
- Faculty & Speaker, "Finding a Safe Car to Buy," American Association for Justice's (formally American Trial Lawyer's Association) 2009 National Meeting, San Francisco, California
- Faculty & Speaker, "What You Need to Know About the Federal Rules But Were Afraid to Ask, State Bar of Texas's Soaking Up Some CLE 2010, South Padre Island, Texas
- Faculty & Speaker, "On the Federal Docket? Better Learn to Walk Fast, Talk Fast, and Think Fast," State Bar of Texas's Soaking Up Some CLE 2011, South Padre Island, Texas
- Faculty & Speaker, "Litigating Product Liability Cases In U.S. Courts When the Injury Occurs Abroad," American Association for Justice's (formally American Trial Lawyer Association) 2011 National Meeting, New York City, New York
- Faculty & Speaker, "Forum Non Conveniens and Choice of Law Tactics in Tire Cases," Attorney's Information Exchange Group's 2011 Occupant Restraint Systems and Tire Seminar, Memphis, Tennessee
- Faculty & Speaker, "Litigating *Here* When It Happens *There*: Is There An Alternative Forum?," American Association for Justice's (formally American Trial Lawyer Association) 2012 National Winter Convention, Phoenix, Arizona
- Faculty & Speaker, "The Federal Court Jurisdiction and Clarification Act of 2011-- The Rules Have Changed Again," State Bar of Texas's Soaking Up Some CLE 2012, South Padre Island, Texas
- Author, The Federal Court Jurisdiction and Clarification Act of 2011—Walk Fast, Talk Fast, Thick Fast," American Association for Justice's (formerly Association of Trial Lawyers of America) Product Liability Section Winter 2013 Newsletter
- Faculty & Speaker, "Obtaining and Using Prior Testimony," State Bar of Texas's 2013 26th Annual Advanced Evidence & Discovery Continuing Legal Education Course, Houston, Texas & San Antonio, Texas
- Faculty & Speaker, "Changes to the Federal Rules," Julian C. Gomez & Michael Alexander, The State Bar of Texas Soaking Up Some CLE, May 16-17, 2013 South Padre Island, Texas
- Faculty & Speaker, "Hot Practice Areas: Products Liability," Julian C. Gomez, The American Association for Justice 2013 Annual Convention, July 20, 2013, San Francisco, California

## The Julian C. Gomez Law Firm P.L.L.C.

1602 Dulcinea, Edinburg, Texas 78539

Telephone 956.682.6959 Facsimile 956.971.8389

Email [jcg@jcglf.com](mailto:jcg@jcglf.com) Website [www.jcglf.com](http://www.jcglf.com)

- Faculty & Speaker, “The Constantly Evolving World of Federal Jurisdiction and Rules of Civil Procedure,” Julian C. Gomez, The State Bar of Texas Soaking Up Some CLE, May 15-16, 2014, South Padre Island, Texas
- Faculty & Speaker, “Using Prior Testimony to Prove Your Products Liability Case,” Julian C. Gomez, The American Association for Justice 2014 Annual Convention, July 29, 2014, Baltimore, Maryland
- Faculty & Speaker, “The Seven Steps to Using an Alternative Venue to Convert and Economically Unviable Products Case into a Viable Products Case,” Julian C. Gomez, The American Association for Justice 2014 Annual Convention, July 29, 2014, Baltimore, Maryland
- Moderator, “Defective Products—Products Liability, Negligence, and Breach of Warranty,” The American Association for Justice 2015 National Winter Convention, February 22, 2015, Palm Springs, California
- Faculty & Speaker, “Obtaining and Using Prior Testimony to Prove Your Case,” The Georgia Trial Lawyers Association 2015 Annual Convention Champion of Trial Skills, April 30, 2015, Atlanta, Georgia
- Faculty & Speaker, “Products Liability in the Oil Field and at the Refinery,” The American Association for Justice 2015 Annual Convention, July 14, 2015, Montréal, Québec, Canada

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1602 Dulcinea, Edinburg, Texas 78539  
Telephone 956.682.6959 Facsimile 956.971.8389  
Email [jcg@jcglf.com](mailto:jcg@jcglf.com) Website [www.jcglf.com](http://www.jcglf.com)

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# ALEJANDRO BALLESTEROS GONZALEZ

BBVA Compass Bank Tower 3900 N. 10<sup>th</sup> St., Suite 980 McAllen,  
Texas 78501 (210) 279-5222 Alejandro@ballesteroslaw.com

*Attorney at Law*

*Certified Mediator*

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## CAREER SUMMARY

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- Excellent diplomatic, communication, and relationship building skills;
- Superior negotiating & problem resolution with strategic thinking skills;
- Bilingual and bicultural, professional written and verbal fluency in English and Spanish;

## PROFESSIONAL EXPERIENCE

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### *Attorney of Counsel*

Ballesteros Gonzalez Law Firm PLLC, McAllen, Texas

December 2014 -

Present

- Primary Litigator for law firm, covering complex Federal and State civil and criminal litigations;
- Founding Member of the Ballesteros Gonzalez Law firm;
- Member of: *Hidalgo County Bar Association, NACLD – National Association of Criminal Defense Lawyers, Federal CJA Panel Member of the Southern District of Texas, AILA – American Immigration Lawyers Association*

### *Assistant Criminal District Attorney*

Bexar County District Attorney's Office, San Antonio, Texas July 2006 – November 2014

- Trial Division – Assigned as a Felony Prosecutor covering all the Criminal District Courts; Assigned to the Bexar County D.W.I. Task Force; First Chair Misdemeanor Impact Court prosecuting attorney; First Chair Attorney in County Court at Law Number 12; Second Chair Attorney in County Court at Law Number 4; Assigned to all the Justice of the Peace courts as a misdemeanor prosecutor;
- First chaired cases ranging from Class C misdemeanor – Speeding to First Degree Felony – Murder;
- Intake Division – Made initial review of cases for legal sufficiency; Processed At-Large cases; Negotiated pleas; Interviewed witnesses; Drafted and filed motions; Made and responded to discovery requests; Evaluated and managed case loads;
- Member of: *San Antonio Bar Association, Texas Young Lawyers Association, San Antonio Young Lawyers Association and Texas District & County Attorney's Association;*

### *Counselor of Law – General Practice*

Solo Practitioner, San Antonio, Texas

May 2006 – July 2006

- Active participant in Criminal Misdemeanor and Felony Court Appointments in Bexar County;

- Handled case load of over 50 court appointments within a two month period
- Conducted detailed substantive intake interviews of new clients; offered counsel and advice; and helped clients with assessing their cases;
- Executed legal research for each individual case; Prepared general and discovery motions; 2<sup>nd</sup> Chaired an Aggravated Sexual Assault case; Assisted fellow attorneys in development of new cases and management of existing cases involving felony and misdemeanor offense and divorce cases;

*Student Attorney*

St. Mary's University Center for Legal and Social Justice, San Antonio, Texas Summer 2004

- Responsible for majority of the communication with Spanish speaking clients;
- Negotiated with Municipal Court Judges to resolve citations issued to homeless and indigent clients based on violations of city ordinances, reducing or eliminating fines in exchange for community service;
- Organized and compiled intake forms and legal files for homeless and indigent clients at a local shelter;
- Assisted low-income clients in areas of civil litigation, including family law (divorce) and estate planning (wills);

## EDUCATION

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*Juris Doctor*

St. Mary's University School of Law, San Antonio, Texas

May 2005

- Teacher Assistant for Legal Research and Writing;
- Comment: "Establishing Representative Offices in the United States and Mexico: How NAFTA Has Increased the Need for Cross-Border Financial Services";
- Completed 40 hour Alternative Dispute Resolution course including hands on training and direct observation real-time mediations;
- Academic scholarship recipient;
- *Pro Bono* Achievement Award recipient;
- Member of: *Hispanic Law Student Association*;

*Program of Instruction for Lawyers at Harvard Law School*

Harvard School of Law, Boston, Massachusetts

Summer 2002

- Participated in the Business Law, International Law and Negotiation programs;
- Received certificate of completion;

*Bachelor of Science, Business and Corporate Finance/Risk Management*

St. Mary's University – Bill Greehey School of Business, San Antonio, Texas December 2001

- Second place in "Stock Quest" competition in Investments course;
- Academic scholarship recipient;
- Member of: *the St. Mary's Finance Club*;

## ADMISSIONS

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- State Bar of Texas, admitted in 2006
- Federal - Southern District of Texas in 2014

# ROLAND QUINTANA

P.O. BOX 3609  
MCALLEN, TEXAS 78502  
956.682.4551

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## EDUCATION:

Baylor University School of Law—Waco, Texas  
Juris Doctorate: August 2001, *summa cum laude*  
Class Rank: Ranked 1<sup>st</sup> in August 2001 graduating class  
Baylor Law Review  
Deans List: Spring 1999, Summer 1999, Fall 1999, Winter 1999, Spring 2000, Fall 2000,  
Winter 2000, Spring 2001, Summer 2001 (every quarter enrolled)  
Recipient of the Chief Justice Thomas Phillips Scholarship Award

University of Texas-Pan American  
Bachelor of Science; College of Education  
Certifications: Secondary Mathematics, All-Level Kinesiology

May 1996

## PROFESSIONAL EXPERIENCE:

### Litigation/Partner

- ❖ Wilkins Wilkins & Quintana (McAllen, Texas) 2005-Present
- Lead or co-counsel on a multitude of cases representing Plaintiffs and Defendants; responsible for all aspects of pre-trial proceedings, including discovery, defensive strategy, witness preparations, hearings, and trials
  - Successfully prepared briefs to various appellate courts
  - Argued before the Supreme Court of Texas
  - Solely prepared and successfully argued a multitude of dilatory and other motions including motions for summary judgment
  - Investigated and developed claims and defenses for breach of fiduciary duty, sexual harassment, forged endorsement, fraud, breach of contract, surface damages, breach of contract, and other claims
  - Representative sample of clients: First National Bank; Texas State Bank; Paisano Service Supply & Co.; A.P.I. Pipe & Supply, Inc.; Pacific Ridge Entrada Square LLC; Precious Life Home Health, Inc.; Spence Concrete Company; Cobotel Terrace No. II, Inc.; Mo-Vac Service Company, Inc.; Schaleben Investments, Inc.; McAllen Construction, Inc.; Palmer Produce, Inc.; San Jacinto Title Services, Inc.; Neal Robinson Wholesale Greenhouses

### Litigation/Transactional Associate

- ❖ Atlas & Hall, L.L.P. (McAllen, Texas) 2003—2005
- Investigated and developed defenses for shareholder's right to dissent, breach of fiduciary duty, breach of contract, adverse possession, and other claims
  - Solely prepared various motions including successful motions for summary judgment and responses to same
  - Drafted merger documents, bank regulatory agreements, real estate transaction agreements, and other commercial transaction agreements

### Litigation/Appellate Associate:

- ❖ Scott, Douglass & McConnico (Austin, Texas) 2002—2003
- Member of appellate team that successfully argued appeals to the Texas Supreme Court and other appellate courts.
  - Investigated, developed defenses, prepared discovery, and responded to discovery for various oil and gas cases, breach of contract cases, and labor and employment cases

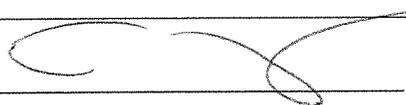
### Briefing Attorney for the Honorable Justice Wallace B. Jefferson:

- ❖ Supreme Court of Texas (Austin, Texas) 2001—2002

NOTICE OF INTENT TO SUBMIT A STATEMENT OF QUALIFICATION

If you intend to submit a statement of qualification for **CITY ATTORNEY/LEGAL SERVICES RFQ No.: 2014-15-32** with the City of Weslaco as outlined in the specifications, please indicate your intention by signing, dating, and returning this form to the address below prior to **October 16, 2015**, so that you may receive any addendums to the specifications should the need arise.

Homer Rhodes  
Buyer II  
City of Weslaco  
Purchasing Department  
255 S. Kansas  
Weslaco, Texas 78596  
Phone :(956) 447-2240  
Fax: (956) 969-8452  
hrhodes@weslacotx.gov

Name: <u>Michael Pruneda</u> (print)	Signature: 
Title: <u>Member</u>	Company/Agency: <u>The Pruneda Law Firm, PLLC</u>
Mailing Address: <u>POB 1664</u>	City/State/Zip: <u>Pharr, Texas 78577</u>
Phone: <u>956-702-9675</u>	Fax: <u>956-702-9659</u>
Email: <u>Michael@michaelpruneda.com</u>	

**Request for Taxpayer  
 Identification Number and Certification**

Give Form to the requester. Do not send to the IRS.

**Name (as shown on your income tax return)**  
 The Pruneda Law Firm, PLLC

**Business name/disregarded entity name, if different from above**

Check appropriate box for federal tax classification:  
 Individual/sole proprietor     C Corporation     S Corporation     Partnership     Trust/estate  
 Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ \_\_\_\_\_  
 Other (see instructions) ▶ \_\_\_\_\_

Exempt payee

**Address (number, street, and apt. or suite no.)**  
 POB 1664

**City, state, and ZIP code**  
 Phaw, Texas 78577

**List account number(s) here (optional)**

**Requester's name and address (optional)**

**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I Instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

**Social security number**

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**Employer identification number**

74	-	2998771
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Note: If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

**Part II Certification**

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. citizen or other U.S. person (defined below).

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

**Sign Here**

Signature of U.S. person ▶ 

Date ▶ 9-22-15

**General Instructions**

Section references are to the Internal Revenue Code unless otherwise noted.

**Purpose of Form**

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

**Note.** If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.