



**CITY OF GUNTER, TEXAS**

**REQUEST FOR PROPOSALS (RFP)**

**PROFESSIONAL INDEPENDENT AUDITING SERVICES**

**DUE DATE:  
TUESDAY, DECEMBER 20, 2016 AT 5:00 P.M. (CST)**

**ISSUED BY:  
GUNTER CITY COUNCIL**

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**REQUEST FOR COMPETITIVE SEALED PROPOSALS FOR INDEPENDENT AUDITING SERVICES FOR THE CITY OF GUNTER TEXAS**

**NOTICE TO AUDITORS**

Competitive Sealed Proposals for the furnishing of Professional Auditing Services for the City of Gunter, Texas ("Proposal(s)") will be received at the **CITY OF GUNTER** offices located at **105 N. 4<sup>th</sup> Street, Gunter, Texas 75058** (City Offices) **from 8 A.M. to 12:00 P.M. and from 1:00 P.M. to 5:00 P.M (CST) from Tuesday, December 6, 2016 to Tuesday, December 20, 2016. All proposals will be publicly opened and read aloud at 10 A.M. on Wednesday, December 21, 2016 at the City Offices.**

Competitive Sealed Proposal Packets will be available online at [www.guntertx.gov](http://www.guntertx.gov) (website), or may be picked up at 105 N. 4<sup>th</sup> Street, Gunter, Texas 75058. E-mail requests may be executed at [citysecretary@ci.gunter.tx.us](mailto:citysecretary@ci.gunter.tx.us).

The original proposal and Two (2) copies of the Proposal plus an electronic copy must be returned in a sealed envelope submitted for the City of Gunter consideration and clearly marked on the outside of the sealed envelope with the following:

**PROFESSIONAL AUDITING SERVICES PROPOSAL  
ATTENTION: JANET MINGS, CITY SECRETARY**

The City of Gunter reserves the right to reject any or all Proposal(s) and waive any or all irregularities. Proposals shall be valid for a period of ninety-days (90) from the date the Proposals are opened.

Late Proposal submissions will be not be considered and will be returned unopened. All unsigned Proposal(s) will be rejected as non-responsive.

The City will not be responsible in the event that the U.S. Postal Service, other mail delivery service, or any other courier system fails to deliver a sealed Proposal to the City Offices prior to the deadline provided in this notice. Electronic transmission or facsimile transmission of proposals will not be accepted.

To be considered for award of Contract, your firm must meet the qualifications and satisfy the requirements set forth in this Request for Competitive Sealed Proposal. It is the responsibility of the person or firm obtaining a copy of this Request for Competitive Sealed Proposal to provide the City with the name of a person who will serve as the point of contact, a current mailing address, an email address, and phone number for the point of contact so that addendum and supplemental materials, if any, may be provided to all potential proposers. The City is not responsible for failure of any proposer to receive notice of any such addendum or supplemental materials. Addendum, if any, will be posted on the City's website ([www.guntertx.gov](http://www.guntertx.gov)).

All questions and correspondence should be directed to :

Janet Mings, City Secretary  
105 N. 4<sup>th</sup> Street  
[citysecretary@ci.gunter.tx.us](mailto:citysecretary@ci.gunter.tx.us)  
903.433.5185

**ETHICS STATEMENT**  
**(Complete and Return this Form with Response)**

The undersigned firm, by signing and executing this RFP, certifies and represents to the City of Gunter that the firm has not offered, conferred or agreed to confer any pecuniary benefit, as defined by (1.07 (a) (6) of the Texas Penal Code, or any other thing of value as consideration for the receipt of information or any special treatment of advantage relating to this RFP; the firm also certifies and represents that the firm has not offered, conferred or agreed to confer any pecuniary benefit or other thing of value as consideration for the recipient's decision, opinion, recommendation, vote or other exercise of discretion concerning this RFP, the firm certifies and represents that firm has neither coerced nor attempted to influence the exercise of discretion by any officer, trustee, agent or employee of the City of Gunter concerning this RFP on the basis of any consideration not authorized by law; the firm also certifies and represents that firm has not received any information not available to other firms so as to give the undersigned a preferential advantage with respect to this RFP; the firm further certifies and represents that firm has not violated any state, federal, or local law, regulation or ordinance relating to bribery, improper influence, collusion or the like and that firm will not in the future offer, confer, or agree to confer any pecuniary benefit or other thing of value of any officer, trustee, agent or employee of the City of Gunter in return for the person having exercised their person's official discretion, power or duty with respect to this RFP; the firm certifies and represents that it has not now and will not in the future offer, confer, or agree to confer a pecuniary benefit or other thing of value to any officer, trustee, agent, or employee of the City of Gunter in connection with information regarding this RFP, the submission of this RFP, the award of this RFP or the performance, delivery or sale pursuant to this RFP.

**THE FIRM SHALL DEFEND, INDEMNIFY, AND HOLD HARMLESS THE CITY OF GUNTER, ALL OF ITS OFFICERS, AGENTS AND EMPLOYEES FROM AND AGAINST ALL CLAIMS, ACTIONS, SUITS, DEMANDS, PROCEEDING, COSTS, DAMAGES AND LIABILITIES ARISING OUT OF, CONNECTED WITH, OR RESULTING FROM ANY ACTS OR OMISSIONS OF FIRM OR ANY AGENT OR EMPLOYEE OF FIRM IN THE EXECUTION OR PERFORMANCE OF THIS RFP.**

I have read all of the specifications and general RFP requirements and do hereby certify that all items submitted meet specifications.

FIRM: \_\_\_\_\_

OFFICER NAME: \_\_\_\_\_

OFFICER SIGNATURE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_

ZIP CODE: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

TELEFAX: \_\_\_\_\_

FEDERAL ID#: \_\_\_\_\_ AND/OR SOCIAL SECURITY#: \_\_\_\_\_

DEVIATIONS FROM SPECIFICATIONS IF ANY:

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**RFP Acknowledgement Form**

**Request for Proposals: Professional Independent Auditing Services**

Please check the appropriate box (see below) email this acknowledgement form by 5:00p.m., Friday, December 9, 2016 to be placed on a list for receipt of Addendum, if any, to this Proposal. Addendum, if any, will be posted to the City's website:

citysecretary@ci.gunter.tx.us  
Email Subject: RFP-2016-Auditing Services

**Intention To Submit A Proposal**

We hereby acknowledge receipt of the RFP. We have perused the document and advise that we intend to submit a proposal **on or before December 20, 2016 at 5:00 p.m. CST**

**Non-Intention To Submit A Proposal**

We hereby acknowledge receipt of the RFP. We have perused the document and advise that we do not intend to submit a proposal for the following reasons:  
*(insert reason here)*

*Bidder's Contact Information is as follows:*

**Company Name:** \_\_\_\_\_  
**Contact Person:** \_\_\_\_\_  
**Mailing Address:** \_\_\_\_\_  
**Telephone No:** \_\_\_\_\_  
**Fax No:** \_\_\_\_\_  
**E-mail Address:** \_\_\_\_\_  
**Name and Title of Authorising Officer:** \_\_\_\_\_

*Signature:* \_\_\_\_\_ *Date:* \_\_\_\_\_

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER  
RESPONSIBILITY MATTERS  
(Complete and Return this Form with Response)**

Name of Entity: \_\_\_\_\_

The prospective participant certifies to the best of their knowledge and belief that they, the principals in the firm, and the firm:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible from practicing public accountancy, and or voluntarily surrendered their license to practice public accountancy in the State of Texas and or the United States of America.
2. Are not presently debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from conducting any business and or financial transactions by any department or agency of Federal, State, and or local government.
3. Have not been convicted of, had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
4. Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, Local) with commission of any of the offenses enumerated in item 3 above of the certification; and
5. Have not within a five year period preceding this RFP had one or more public transactions (Federal, State, Local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC Section 1001, a false statement may result in a fine up to a \$10,000.00 or imprisonment for up to five (5) years, or both.

\_\_\_\_\_  
Name and Title of Authorized Representative (Typed)

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

\_\_\_\_\_  
Date

I am unable to certify to the above statements. My explanation is attached.

**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, 80th 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 7th 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.**

**2.  Check this box if you are filing an update to a previously filed questionnaire.**

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 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.**

\_\_\_\_\_

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       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       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       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

## **THE CITY COUNCIL**

The governing body of the City, the City Council, is composed of a Mayor and five Council Members each elected for a term of two years. The current members of the City Council are:

Mayor: Charles Skeen

Mayor Pro Tern: Larry Peters, Place/District 1

Council Members: Joanie Baker, Place/District 2  
VACANT, Place/District 3  
Bill Santee, Place/District 4  
Jeannie Anderson, Place/District 5

## **STRATEGIC PLANNING & BUDGET**

The City currently does not have an Audit and Finance Committee. The City Council is responsible for strategic planning and financial matters.

## **THE CITY OF GUNTER ORGANIZATION**

The City of Gunter provides all general municipal services within the City limits through the following City Departments:

1. Office of the City Mayor
2. City Secretary
3. Police
4. Fire
5. City Attorney
6. Utility Billing
7. Building Inspection (Permits, Code Enforcement)
8. Public Works (Water, Wastewater, Street Maintenance)

The approved budget for Fiscal Year 2015-2016 totals \$1,078,466.31 for all funds and includes 9 authorized full time equivalent positions. A copy of the City of Gunter's approved budget for Fiscal Year 2015-16 and other financial reports are available in the City Secretary's Office.

## **CITY OF GUNTER'S FUND STRUCTURE**

The City of Gunter's fund structure for accounting and financial reporting purposes for Fiscal Year 2015-16 is as follows:

<u>Fund Type/Account Group</u>	<u>No. of Funds</u>
General Fund	8
Water/Sewer Fund	4
Debt Service Fund	1

## **RETIREMENT SYSTEM**

The City of Gunter is a participant in the Texas Municipal Retirement System. The City does not offer an optional deferred Compensation Plan to its employees.

## **COMPUTER SOFTWARE SYSTEMS**

The City of Gunter currently utilizes the following computerized system software for the functions shown below:

1. Asyst
2. Fast Court
3. Cop Sync

## **SCOPE OF SERVICES**

The City of Gunter is requesting proposals from firms licensed to practice public accountancy in the State of Texas to examine its financial statements and to render an opinion on the fair presentation of the City's financial position and the changes in financial position and cash flows in conformity with accounting principles generally accepted in the United States of America.

The examination of the City of Gunter's financial statements should be made in accordance with:

- A. Auditing standards generally accepted in the United States of America as included in Statements on Auditing Standards, published by the American Institute of Certified Public Accountants.
- B. Standards applicable to financial audits contained in Government Auditing standards issued by the Comptroller General of the United States.
- C. Provisions of relevant General Accounting Standards Board Statements.
- D. All legal requirements for governmental entities in the State of Texas.

The selected auditing firm will be required to prepare the following reports:

- A. Independent Auditor's Report.
- B. Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters in Accordance with Government Auditing Standards.
- C. All other reports required of the independent auditor examining the financial statements of the City of Gunter in accordance with the standards listed above.
- D. Exit conferences will be held with the City Mayor.

The successful auditing firm will be expected to provide advisory guidance to City staff during their course of audit work for:

- A. Accounting and other technical matters as needed to keep the City of Gunter in compliance with any changes in governmental accounting and financial reporting standards.
- B. In the preparation of the City's CAFR so that it exhibits complete transparency and full disclosure in financial reporting and to be eligible to receive the GFOA's Certificate of Achievement for Excellence in Financial Reporting.

## **APPLICABILITY OF A-133 AUDIT REQUIREMENTS**

The City of Gunter does not expect to receive nor does it expect to expend \$500,000 or more in federal awards during Fiscal Year 2015-16.

## **INDEPENDENT AUDITOR'S REPORT REQUIREMENTS**

- A. The report should be addressed to the City Council of the City of Gunter, Texas.
- B. Reports of examinations of financial statements must:
  - 1) State the scope of examination and that the audit was performed in accordance with generally accepted auditing standards and,
  - 2) Must include an opinion as to whether the financial statements present fairly, in all material respects, and the respective changes in financial position and cash flows, in conformity with accounting principles generally accepted in the United States of America.
- C. Reports of compliance examinations must include a statement that the audit was conducted in accordance with applicable auditing standards. The audit report must state whether the examination disclosed any instance(s) of non-compliance with laws and regulations. Findings of non-compliance or ineligible expenses must be presented in enough detail for management to be able to clearly understand them.
- D. The independent auditor will present the audit report to the City Council at its 2nd meeting in February of each year of the contract, or as otherwise agreed upon by the parties.

## **CITY OF GUNTER'S RESPONSIBILITIES DURING AUDIT**

- A. The City of Gunter will provide and make available on-site office space, internet connectivity, power source, standard office supplies, use of copier/scanner, and postage to conduct the audit and related confirmations by mail.
- B. The City of Gunter will make available and accessible all documents, records, and systems as reasonably requested by the independent auditors to conduct their examination.
- C. The City's accounting staff will be available to provide documents and reports for examination, reproduce documents, prepare specific schedules, etc.
- D. The City's accounting staff will be responsible for preparing, organizing, copying, and binding the final CAFR.

**AUDIT FEES**

The proposal should provide an annual maximum not-to-exceed fee listed separately for each year of the 3-year contract term. Please provide a maximum not-to-exceed audit fee separately for fiscal years ending September 30, 2016, September 30, 2017, and September 30, 2018. Do not provide a lump sum fee amount for the 3-year contract term.

**TERM OF CONTRACT**

The City of Gunter will enter into a 3-year contract term for Independent Financial Audit Services with two 1-year contract extension options. The term of the contract is subject to annual renewal and may be terminated at any time by either party with sufficient notice as stated in the contract. Any extensions of the Agreement shall be subject to the agreement of the parties to extend.

**The first year to be audited will be for Fiscal Year 2015-16 beginning October 1, 2015 and ending September 30, 2016.**

**EVALUATION CRITERIA**

The City staff's recommendation to the City Council will be based on the proposal determined to offer the best value to the City of Gunter. The evaluation of the proposals will be made based on, but not limited to, the following designated weighted criteria. These factors will be applied to all eligible, responsive firms in comparing the proposals received and selecting the audit firm.

The City of Gunter reserves the right to require oral presentations by any or all firms. In the event of oral presentations, a second matrix will be developed based on the selection criteria. A contract award may be made without oral presentation and or discussion with firms after RFP responses are received by the City of Gunter. Therefore, RFP responses should be submitted on the most favorable terms.

All costs directly or indirectly related to preparation of a response or oral presentation, if any, required to supplement and/or clarify an item in the RFP shall be the sole responsibility of and shall be borne by the responding firm.

The City of Gunter will use the following criteria in selecting the best qualified firm:

- A. Knowledge of generally accepted accounting principles, auditing standards, financial policies, and procedures as applicable to governmental entities.....25%
- B. Prior experience in auditing financial statements of similar sized or larger municipal governments in Texas.....25%
- C. Proposing Firm's approach to the examination and the work plan for accomplishing the

scope of services required in the RFP. ....	5%
D. Availability of trained personnel and technical resources required for conducting the audit and for providing consultation on accounting and other technical matters as needed to keep the City of Gunter current on any changes in governmental accounting and financial reporting standards.....	20%
E. A demonstrated ability to provide assistance in obtaining the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association.....	10%
F. The all-inclusive annual not-to-exceed maximum fee amount for each of the 3- year contract term for fiscal years ending September 30, 2016, September 30, 2017, and September 30, 2018.....	15%
	<u>100%</u>

**RIGHTS RESERVED BY THE CITY OF GUNTER**

1. If only one or no proposal is received by "submission date", the City has the right to accept, reject, re-solicit, accept and or extend the RFP by up to an additional two (2) weeks from original submission date.
2. The right to hold proposals for 90 days from submission date without action.
3. The right to extend beyond the original 90-day period prior to an award if agreed upon in writing by both parties.
4. The right to terminate all or any part of the unfinished portion of the work resulting from this solicitation within thirty (30) days written notice; upon default by the firm, for delay or non-performance by the firm, or if it is deemed in the best interest of the City of Gunter for convenience.
5. The City of Gunter reserves the right to request additional information or to meet with representatives from any and all responding firms to discuss points in the RFP after submission, any and all of which may be used in forming a recommendation.
6. The City of Gunter reserves the right to reject any and all proposals received, and to accept the proposal it considers in its best interest, and most advantageous to the City, based upon the requirements and descriptions outlined in this RFP.

Any interpretation, correction, or change to the RFP will be made by ADDENDUM. Changes or corrections to this RFP will be issued by the City of Gunter and posted on the City's website.

Any Addendum issued by the City of Gunter will be emailed or faxed to all who have timely returned the RFP Acknowledgement Form, such form is being provided as a courtesy and not a requirement. Addendum will be issued as expeditiously as possible. Addendum, if issued, will also be posted on the City's website. City is not responsible for failure of a responding firm to receive any or all Addendum, regardless of whether the firm timely returns the RFP Acknowledgment Form. It is the responsibility of the responding firm to monitor the City's website for Addendum. Further, it is the sole responsibility of the responding firms to determine whether all Addendum have been reviewed and addressed in the proposal.

## **INFORMATION REQUESTED AND PROPOSAL CONTENT REQUIREMENTS**

Any Firm interested in being considered for the Professional Independent Financial Audit Services engagement must submit, on the firm's letterhead, a proposal which provides information on the following points, numbered, and with section headings as indicated below.

Responding firms should refer to section titled: Instructions to Prospective Firms and Additional Instructions Prospective for additional response guidelines. Please note that the contents of the successful proposal may become a part of subsequent contractual documents. Failure to comply with all requirements may result in the cancellation of any contract award.

**In order to simplify the review process, please organize your proposal according to the following outline:**

A. Title Page

Show the Proposal subject, the name of the proposing firm, address, telephone number, name of contact person, size of the firm, and date.

B. Table of Contents

Include a clear identification of the material by section and by page number.

C. Letter of Transmittal

1. Briefly state the Firm's understanding of the work to be done and provide a detailed timeline for completion of the work required to perform the required services.
2. State the all-inclusive fee by fiscal year for which the work will be done.
3. State the name of the person who will be authorized to make representation for the firm, their title, address, and telephone numbers.
4. State that the person signing the transmittal letter is authorized to bind the firm and enter in a contract.
5. Identify and discuss any potential conflicts of interest of which the firm is aware not stated in the Conflict of Interest and Disclosure Statements.

D. Profile of the Responding Firm

1. State whether the firm is local, regional, national or international.
2. State the location of the office from which the work is to be performed and the

number of partners, managers, supervisors, seniors, and other professional staff employed at that office.

3. Describe the range of activities performed by the local office such as auditing, accounting, tax, or management services.
4. Describe the local office's capacity to audit computerized systems, including the number and classifications of personnel skilled in computer sciences who will work on the audit.
5. Describe any reprimands or penalties that the firm may have received in recent years from the Texas State Board of Public Accountancy.
6. State the firm's experience in auditing utilities and governmental entities.
7. State the firm's professional affiliations and the results of the latest peer review.
8. Affirm that the firm has completed external quality review with unqualified opinion.

E. Summary of the Proposing Firms Qualifications

1. Identify the partner, audit manager, and supervisors who will work on the audit, including staff from other than the local office. Resumes including relevant experience and continuing education for each individual assigned to the audit should be included. (Resumes included should be attached as an appendix).
2. Describe the most recent local office auditing experience similar to the type of audit being requested. Include a reference list of local government audit clients and any GFOA Certificates of Achievement for Excellence in Financial Reporting awarded. Provide contact name and phone number for at least four (4) governmental entities provided on the list of local government clients.

F. Proposing Firms Approach to the Examination

1. Submit a work plan to accomplish the scope of services required. The work plan should include time estimates for each significant segment of the work and the staff level position. Where possible, individual staff members should be named and their titles provided. The planned use of specialist should be specified.
2. State purpose and degree of utilization of City of Gunter personnel.

G. Compensation

State the total hours and hourly rate required by staff classification and the resulting all-inclusive maximum not-to-exceed fee amount for which the requested work will be completed. For additional details please refer to the section titled Audit Fees in this **RFP**.

H. Evaluation Criteria

Briefly summarize how the information provided in the preceding sections meets or exceeds Evaluation Criteria “A” through “E” in this RFP. Each summary should be limited to a single concise paragraph.

I. Complete and include Internal Revenue Service Form W-9, Request for Taxpayer Identification Number and Certification

## **SUBMISSION OF PROPOSALS/INSTRUCTIONS TO PROSPECTIVE FIRMS**

The City of Gunter is requesting two (2) copies of the Proposals including any attachments, plus an electronic copy. Proposals must be enclosed in a sealed envelope and clearly marked on the outside of the envelope or any carrier's envelope: "PROFESSIONAL INDEPENDENT AUDITING SERVICES PROPOSAL", to be mailed, sent by overnight courier, or hand delivered to the attention of

Janet Mings  
City Secretary  
City of Gunter  
P.O. Box 349, Gunter, Texas 75058 (Mailing Address)  
105 N 4th Street, Gunter, Texas 75058 (Physical Address)

**Proposals will be accepted only until 5:00 P.M., December 20, 2016.**

**NO PROPOSALS WILL BE ACCEPTED AFTER 5:00 P.M. ON TUESDAY, DECEMBER 20, 2016, THE SUBMISSION DEADLINE.**

**Proposals will be publicly opened and read aloud at 10:00 a.m., on Wednesday, December 21, 2016, in the City Offices in City Hall located at 105 N 4th Street, Gunter, Texas 75058.** Attendance by representatives of prospective firms is optional.

The City of Gunter is subject to the Texas Open Records Act. However, certain types of information may be exempt from disclosure under the Act. Firms submitting information which they deem confidential or proprietary must clearly mark and identify such information page by page. The City of Gunter will, to the extent allowed by applicable law, protect such information from disclosure. The final decision as to what information must be disclosed under the Open Records Act lies with the Texas Attorney General.

Questions or clarifications concerning the City of Gunter's RFP requirements should be directed by email only to:

Janet Mings  
City Secretary  
City of Gunter  
[citysecretary@ci.gunter.tx.us](mailto:citysecretary@ci.gunter.tx.us)

Response to any questions, if appropriate, will be issued in the form of an addendum to all firms that have returned the RFP Acknowledgement Form and will also be posted on the City's website at:

<http://www.guntertx.gov/>

## **ADDITIONAL INSTRUCTIONS TO PROSPECTIVE FIRMS**

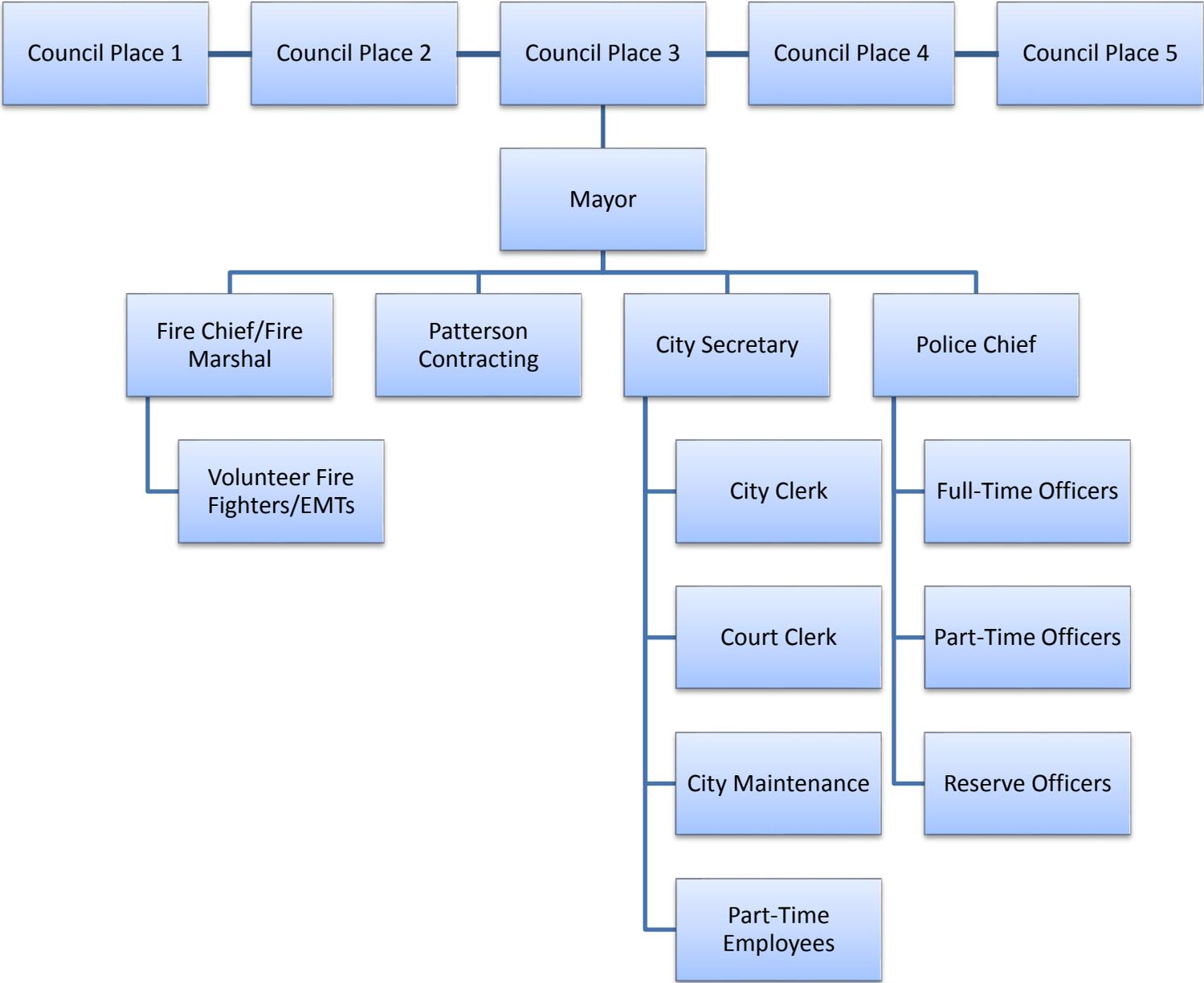
The City of Gunter, Texas is requesting proposals from firms interested in providing independent financial audit services. Firms with relevant experience and qualifications are encouraged to submit their proposal and qualifications. Preparation of submittals will be at the expense of the Firm.

The following instructions should be followed by firms responding to this RFP:

1. Please respond specifically to all information requested in this Request for Proposals or indicate on the attached acknowledgement form why no response is given.
2. Please limit response to relevant material; additional information must be submitted in the form of an attachment or appendix.
3. Identify the question being answered in the introduction to each response.
4. Respondents or their representatives are prohibited from communicating with any City of Gunter officials to include City Council members regarding the RFP from the time the RFP is released until it has been acted upon by the City Council.
5. Respondents or their representatives are prohibited from communicating with City of Gunter employees regarding the RFP, until the contract is awarded except to submit questions or requests for clarification in accordance with this RFP. Violation of this provision by the respondent or their agent will lead to disqualification of the respondent's RFP from consideration.
6. If there are any clarification questions regarding the scope of work and or any other requirements of this RFP, respondents or their representatives should submit written questions and forward those to the City's staff named as the contact person for this solicitation. All response by the City will be provided in the form of an addendum and will be posted on the City's website.
7. It is the responsibility of the person or firm obtaining a copy of this Request for Competitive Sealed Proposal to provide the City with the name of a person who will serve as the point of contact, a current mailing address, an email address, and phone number for the point of contact so that addendum and supplemental materials, if any, may be provided to all potential proposers. The City is not responsible for failure of any proposer to receive notice of any such addendum or supplemental materials. Addendum, if any, will be posted on the City's website ([www.guntertx.gov](http://www.guntertx.gov)).

# **APPENDIX**

# City of Gunter Operations Organizational Chart



	<b>Current FY Budget</b>	<b>Current FY as of May</b>	<b>Next FY Proposed</b>
<b>General Fund</b>			
General Fund Revenues	\$ 1,089,195.06	\$ 652,678.54	\$ 1,078,466.31
Admin Expenses	472,890.59	203,897.55	400,419.64
Street Expenses	80,700.00	62,167.48	95,900.00
Park Expenses	15,500.00	9,798.93	8,500.00
Election Expenses	7,475.00	132.14	6,435.00
Municipal Court Expenses	171,475.41	84,195.64	222,487.53
Police Expenses	340,341.00	224,085.79	358,220.73
Fire Expenses	72,784.93	51,800.54	64,740.03
Training-Meeting Area	2,400.00	2,159.61	3,500.00
Total General Fund Expenses	1,163,566.93	638,237.68	1,160,202.93
Excess/(Loss)	\$ (74,371.87)	\$ 14,440.86	\$ (81,736.62)

<b>Water/Sewer Fund</b>			
Water Revenue	\$ 336,380.00	\$ 240,438.03	\$ 320,310.00
Sewer Revenue	\$ 177,575.00	\$ 130,230.45	\$ 197,436.00
Solid Waste Revenue	\$ 92,405.00	\$ 67,223.20	\$ 103,051.00
Total Water Fund Revenue	606,360.00	437,891.68	620,797.00
Water Expenses	198,680.99	125,758.96	212,483.69
Sewer Expenses	165,563.25	98,003.22	154,333.69
Solid Waste Expenses	75,844.00	53,196.64	84,583.00
Water Fund Debt	93,145.00	78,825.41	87,660.00
Total Water Fund Expenses	533,233.24	355,784.23	539,060.38
Excess/(Loss)	\$ 73,126.76	\$ 82,107.45	\$ 81,736.62

<b>Debt Service Fund</b>			
Debt Fund Revenues	\$ 174,630.00	\$ 183,771.78	\$ 175,130.25
Debt Fund Expenses	174,630.00	138,412.50	175,130.25
Excess/(Loss)	\$ -	\$ 45,359.28	\$ -

\$ (0.00)

# Request for Taxpayer Identification Number and Certification

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

<b>Print or type See Specific Instructions on page 2.</b>	<b>1</b> Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
	<b>2</b> Business name/disregarded entity name, if different from above	
	<b>3</b> Check appropriate box for federal tax classification; check only <b>one</b> of the following seven boxes: <input 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) ▶ _____	<b>4</b> 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>
	<b>5</b> Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	<b>6</b> City, state, and ZIP code	
	<b>7</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 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.

<b>Social security number</b>									
				-			-		
<b>or</b>									
<b>Employer identification number</b>									
				-					

**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.

## 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 ▶
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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:

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. See *What is FATCA reporting?* on page 2 for further information.

**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.

In the cases below, the following person must give 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:

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

**Foreign person.** If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (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, give the requester the appropriate completed Form W-8 or Form 8233.

## Backup Withholding

**What is backup withholding?** Persons making certain payments to you must under certain conditions withhold and pay to the IRS 28% 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, payments made in settlement of payment card and third party network transactions, 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 *Exempt payee code* on page 3 and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships* above.

## What is FATCA reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code* on page 3 and the Instructions for the Requester of Form W-9 for more information.

## 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

### Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account, list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

**Note. ITIN applicant:** Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C Corporation, or S Corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. 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 line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. 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 line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

**Line 2**

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

**Line 3**

Check the appropriate box in line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box in line 3.

**Limited Liability Company (LLC).** If the name on line 1 is an LLC treated as a partnership for U.S. federal tax purposes, check the "Limited Liability Company" box and enter "P" in the space provided. If the LLC has filed Form 8832 or 2553 to be taxed as a corporation, check the "Limited Liability Company" box and in the space provided enter "C" for C corporation or "S" for S corporation. If it is a single-member LLC that is a disregarded entity, do not check the "Limited Liability Company" box; instead check the first box in line 3 "Individual/sole proprietor or single-member LLC."

**Line 4, Exemptions**

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space in line 4 any code(s) that may apply to you.

**Exempt payee code.**

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(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 U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—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 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 <sup>1</sup>	Generally, exempt payees 1 through 5 <sup>2</sup>
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

<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 reportable under section 6045(f), and payments for services paid by a federal executive agency.

**Exemption from FATCA reporting code.** The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

**Note.** You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

**Line 5**

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns.

**Line 6**

Enter your city, state, and ZIP code.

**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 this page), 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 SSA 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, apply for a TIN and 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 U.S. 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 items 1, 4, or 5 below 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 line 1 must sign. Exempt payees, see *Exempt payee code* earlier.

**Signature requirements.** Complete the certification as indicated in items 1 through 5 below.

**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 made in settlement of payment card and third party network transactions, 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 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>1</sup>  The actual owner <sup>1</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 Regulations section 1.671-4(b)(2)(i)(A))	The grantor*
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 Regulations section 1.671-4(b)(2)(i)(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 2.

\*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, 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 (TIGTA) at 1-800-366-4484. 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-IDTHEFT (1-877-438-4338).

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. commonwealths and 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.