



Contracts Disclosure Form

This form can be completed online at www.sanantonio.gov/ethics.
If form cannot be completed online, please print, complete and submit
with proposal. All questions must be answered.

For details on use of this form, see Section 2-59 through 2-61 of the City's Ethics Code.

* This is a: ☒ New Submission ☐ Correction ☐ Update to previous submission

* 1) Name of person submitting this disclosure form.

*First Benjamin *M.I. R *Last Scott Suffix

* 2) Contract Information

a) Contract or Project Name: S.P. No. 2022201

b) Originating Department: Public Works

* 3) Disclosure of parties, owners, and closely related persons.

a) Name of individual(s) or entity(ies) seeking a contract with the city.
(NOTE: Give exact legal name as it will appear on the contract, if awarded.)

H-E-B, LP, a Texas limited partnership

b) Name and title of contract signatory

Benjamin R. Scott
Group Vice President of Real Estate and Shopping Center Development

c) Name of all owners, board members, executive committee members, and officers of entities listed in question 3a.

Craig Boyan, President
Roxanne Orsak, Chief Operations Officer
Benjamin Scott, Vice President

*** 4) List any individual(s) or entity(ies) that is a partner, parent, joint venture, or subsidiary entity(ies) of the individual or entity listed in Question 3.**

☒ **Not applicable. Contracting party(ies) does not have partner, parent, joint venture, or subsidiary entities.**

If applicable, list below names and type of relationship (partner, parent, joint venture or subsidiary entities, and all the owners, board members, executive committee members, officers of each entity):

*** 5) List any individuals or entities that will be subcontractors on this contract.**

☒ **Not applicable. No subcontractors will be retained for this contract.**

☐ **Subcontractors may be retained, but have not been selected at the time of this submission.**

If applicable, list below subcontractors, including the name of the owner(s), and business name:

*** 6) List any attorneys, lobbyists, or consultants retained by any individuals listed in Questions 3, 4, or 5 to assist in seeking this contract.**

☐ **Not applicable. No attorneys, lobbyists, or consultants have been retained to assist in seeking this contract.**

If applicable, list below names and type (attorneys, lobbyists, or consultants) retained to assist in seeking this contract:

Balanced Site Design, LLC

*** 7) Disclosure of political contributions.**

List any campaign or officeholder contributions made by the following individuals in the past 24 months to any current member of City Council, former member of City Council, any candidate for City Council, or to any political action committee that contributes to City Council elections:

- a. any individual seeking contract with the city (Question 3)
- b. any owner or officer of entity seeking contract with the city (Question 3)
- c. any individual or owner or officer of an entity listed above as a partner, parent, or subsidiary business (Question 4)
- d. any subcontractor or owner/officer of subcontracting entity retained for the contract (Question 5)
- e. the spouse of any individual listed in response to (a) through (d) above
- f. any attorney, lobbyist, or consultant retained to assist in seeking contract (Question 6)

☐ **Not applicable. No campaign or officeholder contributions have been made in preceding 24 months by these individuals.**

If applicable, list below name of contributor; to whom; date; and amount:

Craig and Elise Boyan; to Mayor Ron Nirenberg; December 1, 2022; \$2,000

Updates on Contributions Required

Information regarding contributions must be updated by submission of a revised form from the date of the submission of this form, up through the time City Council takes action on the contract identified in response to Question 2 and continuing for 30 calendar days after the contract has been awarded.

Notice Regarding Contribution Prohibitions for "High-Profile" Contracts

Under Section 2-309 of the Municipal Campaign Finance Code, the following listed individuals are prohibited from making a campaign or officeholder contribution to any member of City Council, candidate for City Council or political action committee that contributes to City Council elections from the 10th business day after a contract solicitation has been released until 30 calendar days after the contract has been awarded:

- a. Any individual seeking a high-profile contract;
- b. Any owner, officer, officer of board, and executive committee member of an entity seeking a high-profile contract, excluding board officers and executive committee members of 501(c)(3), 501(c)(4) and 501(c)(6) non-profit organizations not created or controlled by the City whose board service is done strictly as a volunteer with no financial compensation and no economic gain from the non-profit entity;
- c. The legal signatory of the high-profile contract;
- d. Any attorney, lobbyist or consultant hired or retained to assist the individual or entity in seeking a high-profile contract;
- e. Subcontractors hired or retained to provide services under the high-profile contract; and
- f. Any first-degree member of the household of any person listed in (1), (2), (3) or (5) of this subsection.

Penalty. A high-profile contract cannot be awarded to the individual or entity if a prohibited contribution has been made by any of these individuals during the contribution "black-out" period, which is the 10th business day after a solicitation has been released until 30 calendar days after the contract has been awarded.

* 8) Disclosure of conflict of interest.

Are you aware of any fact(s) with regard to this contract that would raise a "conflict of interest" issue under Sections 2-43 or 2-44 of the City Ethics Code for any City Council member or board/commission member that has not or will not be raised by these city officials?

☐ I am not aware of any conflict(s) of interest issues under Section 2-43 or 2-44 of the City Ethics Code for members of City Council or a city board/commission.

If applicable, provide the conflict(s) of interest below:

Mayor Ron Nirenberg's wife is employed by H-E-B, LP

* 9) Prohibited Interest in Contracts.

Currently, or within the past twelve (12) months, have you, your spouse, sibling, parent, child or other family member within the first degree of consanguinity or affinity served on a City board or commission?

☐ Yes ☒ No

Currently, or within the past twelve (12) months, has an owner, partner or employee of a business entity in which you, your spouse, parent, child own 10% or more of the voting stock or shares, or 10% or more of the fair market value served on a City board or commission?

☐ Yes ☒ No

Currently, or within the past twelve (12) months, has an owner, partner, or employee of a business entity who owns 10% or more of the voting stock or shares, or 10% or more of the fair market value, that will be a subcontractor for this contract, served on a City board or commission?

☐ Yes ☒ No

If you answered Yes to any questions in Question 9, please list the name of the individual, name of board/commission, and start/end date of service (for each instance).

Notice Regarding Prohibited Interest in Contracts.

Please be aware, the City's Charter and Ethics Code prohibits members of certain more-than-advisory boards and commissions, as well as their close family members and any businesses they or their families hold a 10% or greater ownership interest from obtaining a contract with the City during their board or commission service. The prohibition extends to subcontracts on City contracts, and would also apply to parent, subsidiary or partner businesses owned by the member of the board or commission and their family. Please see Section 141 of the City Charter and Section 2-52 of the City Ethics Code (Prohibited Interests in Contracts) for complete information.

Former members of certain more-than-advisory boards and commissions, their family members and the businesses they own will continue to be prohibited from obtaining any discretionary contracts for one year after leaving City service. Please see Section 2-58 of the City Ethics Code (Prohibited Interest in Discretionary Contracts) for complete information.

Please note that any contract in place at the time the applicant becomes a City officer may remain in effect, but cannot be amended, extended, modified, or changed in any manner during the officer's City service on the more-than-advisory board.

If you have any questions, please contact the Office of the City Attorney to request to speak with a member of the Ethics staff: (210) 207-8940

Acknowledgments

*1. Updates Required

- ☒ I understand that this form must be updated by submission of a revised form if there is any change in the information before the discretionary contract, housing and retail development incentive, or the purchase, sale, or lease of real estate to or from the City is the subject of action by the City Council, and no later than 5 business days after any change has occurred, whichever comes first. This includes information about political contributions made after the initial submission and up until 30 calendar days after contract has been awarded.

*2. No Contact with City Officials or Staff during Contract Evaluation

- ☒ I understand that a person or entity who seeks or applies for a city contract or any other person acting on behalf of that person or entity is prohibited from contacting city officials and employees regarding the contract after a Request for Proposal (RFP), Request for Qualification (RFQ), or other solicitation has been released.

This no-contact provision shall conclude when the contract is posted as a City Council agenda item. If contact is required with city officials or employees, the contact will take place in accordance with procedures incorporated into the solicitation documents. Violation of this prohibited contacts provision set out in Section 2-61 of the City Ethics Code by respondents or their agents may lead to disqualification of their offer from consideration.

***3. Contribution Prohibitions for "High-Profile" Contracts**

☒ This is not a high-profile contract.

If this is a high-profile contract please complete the following questions:

- ☐ I acknowledge that this contract has been designated as a high-profile contract by the city. I further acknowledge that the following individuals are prohibited from making campaign or officeholder contributions to members of City Council, candidates for City Council, or political action committees that make contributions to City Council elections from the 10th business day after the solicitation has been released until 30 calendar days after the contract has been awarded: legal signatory to contract individual(s) seeking the contract, owner or officer of an entity seeking the contract, the spouse of any of these individuals, and any attorney, lobbyist, or consultant retained to assist in seeking the contract.
- ☐ I warrant that no contributions have been made by these individuals in violation of Section 2-309 of the Municipal Campaign Finance Code.

***4. Conflicts of Interest Questionnaire (CIQ)**

Chapter 176 of the Local Government Code requires all contractors and vendors to submit a Conflict of Interest Questionnaire Form (CIQ) to the Office of the City Clerk, even if contract is not designated as "High Profile".

☒ I acknowledge that I have been advised of the requirement to file a CIQ form under Chapter 176 of the Local Government Code.

*** Oath**

☒ I swear or affirm that the statements contained in this Contracts Disclosure Form, including any attachments, to the best of my knowledge and belief are true, correct, and complete.

***Print Name:** Benjamin R. Scott

***Signature:** 

Title: Group Vice President of Real Estate and Shopping Center Development

***Date:** 2/27/2023

***Company Name or DBA:** H-E-B, LP

This form can be completed online at www.sanantonio.gov/ethics.
If form cannot be completed online, please print, complete and submit with proposal. All questions must be answered.

If submitting via regular mail, send to:

Purchasing Department
P.O. Box 839966
San Antonio, Texas 78283-3966