



Legal Firm Name & Name Change

2024 PEPS Conference

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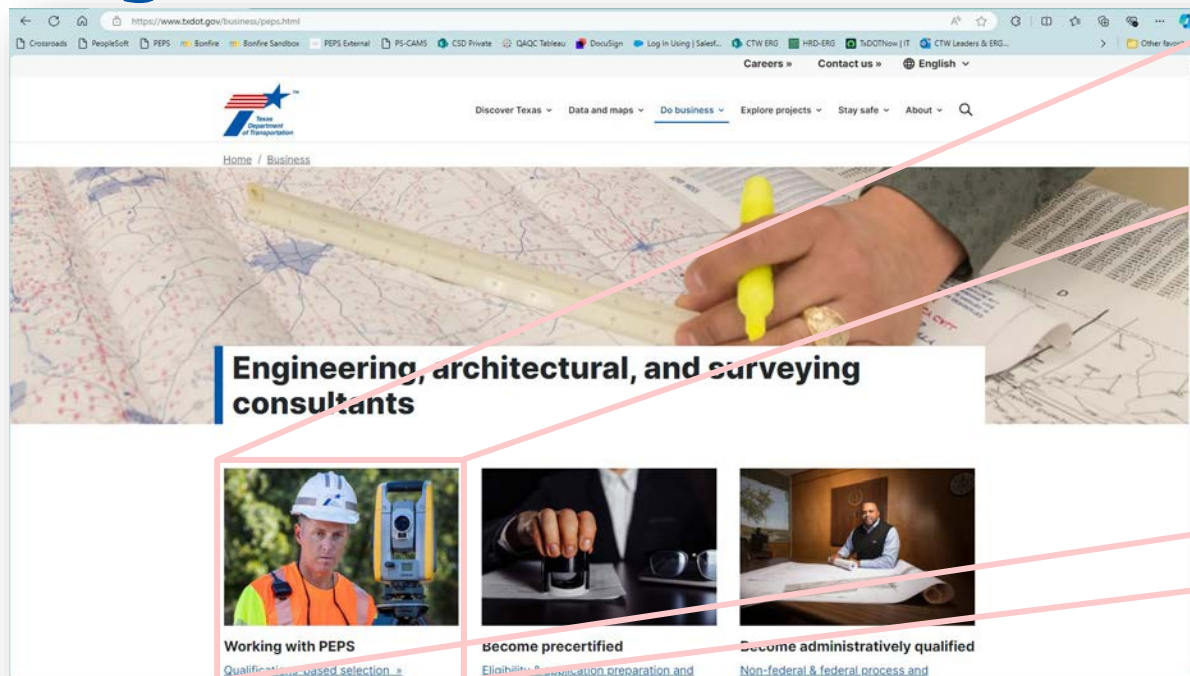
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New Legal Firm Name & Name Change Webpage

Legal Firm Name & Name Change



Working with PEPs
[Qualifications-based selection and legal firm name>>](#)

Working with PEPS



Qualifications-based selection



Legal Firm Name and Name Change

Legal Firm Name and Name Change



Qualifications-
based
selection



Legal Firm
Name and
Name Change

Legal Firm Name

Name Change or
Assignments

Best Practices

Timing

New to TxDOT and
upcoming
procurements?

Next Steps for
Name Changes or
Assignments

Legal Firm Name

Legal Firm Name

It is important that use of your firm name be consistent across State systems.

Use of different names will create inconsistencies, which may result in disqualification during a contract procurement.


The information provided is not intended to provide legal advice or to substitute for the advice of an attorney.

If you have specific legal questions, consult your attorney.

Legal Firm Name

- **Legal Firm Entity Name**

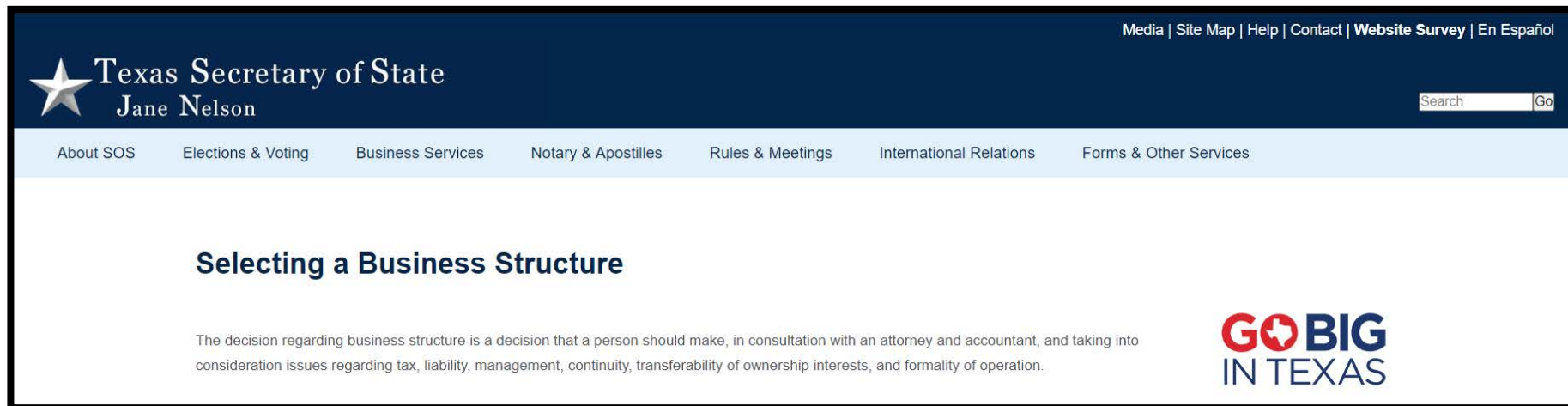
The Entity Name is located on the Certificate of Formation received from the [Texas Secretary of State](#). For more information, see the [video tutorial](#) from the Texas Secretary of State for Filing Your Business.

Form 203 (Revised 12/21) Submit in duplicate to: Secretary of State P.O. Box 13697 Austin, TX 78711-3697 512 463-5555 Filing Fee: \$300	<div>This space reserved for office use.</div> <div> Certificate of Formation Professional Corporation</div>
Article 1 – Entity Name and Type The filing entity being formed is a professional corporation. The name of the entity is:	

Legal Firm Name


Business Structure Entity Type

The business structure can also be found on the Certificate of Formation received from the [Texas Secretary of State](#). For more information, please visit [Selecting A Business Structure \(state.tx.us\)](#), and see the [video tutorial](#) from the Texas Secretary of State for Filing Your Business.



The screenshot shows the official website of the Texas Secretary of State, Jane Nelson. The header is dark blue with the state seal and navigation links. The main content area is white with a light blue navigation bar. The page title is "Selecting a Business Structure". Below the title, there is a paragraph of text and the "GO BIG IN TEXAS" logo.

Media | Site Map | Help | Contact | Website Survey | En Español

 **Texas Secretary of State**
Jane Nelson

Search Go

About SOS | Elections & Voting | Business Services | Notary & Apostilles | Rules & Meetings | International Relations | Forms & Other Services

Selecting a Business Structure

The decision regarding business structure is a decision that a person should make, in consultation with an attorney and accountant, and taking into consideration issues regarding tax, liability, management, continuity, transferability of ownership interests, and formality of operation.

GO BIG
IN TEXAS

Name Change or Assignments

Name Change or Assignments

- **Name Change**

- Definition from the [Negotiated Contracts Policy Manual \(NCP\) \(txdot.gov\)](https://www.txdot.gov/negotiated-contracts-policy-manual). A name change occurs when a provider changes its name, but not its legal identity. An individual may change their name through marriage or a court order, for example. If a provider changes its name, it must submit documentation showing that the name change has been legally implemented. For most business entities, this will involve changing the name legally through the Secretary of State. In addition, TxDOT contract managers often require the contractor to affirm in writing that the contractor's personnel assigned to the project will not change.

Name Change or Assignments

- **Assignments**

- Definition from the [Negotiated Contracts Policy Manual \(NCP\) \(txdot.gov\)](https://www.txdot.gov/negotiated-contracts-policy-manual). An assignment occurs when a new provider replaces the original provider. This may result from a sale of underlying assets of the original provider or from a change in the original provider's legal identity because of a change of business form, as from a corporation to a partnership. Only TxDOT, by written consent, may authorize assignment. Therefore, the Assignment form must have the signature of an authorized representative of the original provider, of an authorized representative of the new provider (who may in some cases be the same person), and of the authorized TxDOT representative.

Name Change or Assignments

- Assumed Name
 - An Assumed Name, also known as Doing Business As (DBA), is not the Legal Firm Name. According to Texas Secretary of State [Name Filings FAQs \(state.tx.us\)](#), “By filing an assumed name certificate, you are notifying the public that a particular business entity intends to conduct business under a name other than its legal name.”
 - The Legal Firm Name should be used for PEPS systems and procurements.

Best Practices

Best Practices for Legal Firm Name

A firm must use a single Legal Firm Name in all PEPS systems:



Administrative Qualifications (AQ),



Consultant Certification Information System (CCIS)



Professional Services – Contract Administration Management System (PS-CAMS)

Best Practices for Procurements

Use same names on all documents in proposal package submittal


- Questionnaire, Proposal, PTC Form, Subprovider Contact Information, HUB Subcontracting Plan (HSP), NLC Template

The prime provider must use a Legal Firm Name

The subproviders must use a Legal Firm Name

Do not use an Assumed Name or "DBA"

Best Practices for Name Changes



Be aware of the recommended timeframe to make name changes (see next section)

Provide a quality control review to verify firm names are consistent across all PEPS systems prior to submitting your response to the request for proposals.

If a firm is selected for a contract, the contract must be executed using the same firm name that was in the proposal.

Timing

Timing for Name Change

- Timing is critical since a change during a procurement cycle may result in a disqualification. Once the selection is complete, the following may apply:
 - If you have been selected for a contract, see the **Next Steps for Name Changes or Assignments** section. Coordination with Support Services Center (SSC) is critical since the contract must be executed using the same firm names that were in the proposal.
 - If you have not been selected for a contract, you may follow the steps below for a Name Change.



**New to TxDOT and upcoming
procurements?**

New to TxDOT and upcoming procurements?

View these resource pages and complete all the required steps before the next procurement wave.

[Working with PEPS \(txdot.gov\)](#)

[Become precertified \(txdot.gov\)](#) as a part of the Consultant Certification Information System (CCIS) for Precertifications

[Become administratively qualified \(txdot.gov\)](#) with the Administrative Qualifications (AQ) group

[Additional requirements for contracting with PEPS \(txdot.gov\)](#)

Next Steps for Name Changes or Assignments

Next Steps for Name Changes or Assignments

A prime firm should contact these three PEPS offices at the same time.
Important: include the status of all open procurements, pending contracts, and existing contracts that may impact the timing of the updates.



Support Services Center (SSC) contact
peps_ssc_firmchange@txdot.gov



Consultant Certification Information System (CCIS) for
Precertifications contact peps_ccis_precert@txdot.gov



Administrative Qualifications (AQ) contact
peps_admin_qual@txdot.gov

Next Steps for Name Changes or Assignments

The Support Services Center (SSC) will coordinate with other offices within TxDOT:

Contract Services Division (CSD)

PEPS Professional Services – Contract Administration Management System (PS-CAMS)

PEPS Invoice Center

PeopleSoft with Financial Management Services (FIN) Division – at the award stage

Next Steps for Name Changes or Assignments



A Subprovider must work with the Prime Provider who will coordinate with the appropriate Service Center to make updates to their contract.

Confidentiality

- Early in the process, a firm considering a name change but needing confidentiality may request a meeting to discuss the process by emailing:
 - PEPS_COE_Process@txdot.gov
- or
 - peps_admin_qual@txdot.gov

Questions and Discussion

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 Austin HQ

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 Atlanta Paris
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 Brownwood San Angelo
 Bryan Tyler
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 Corpus Christi Wichita Falls
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Invoice Center

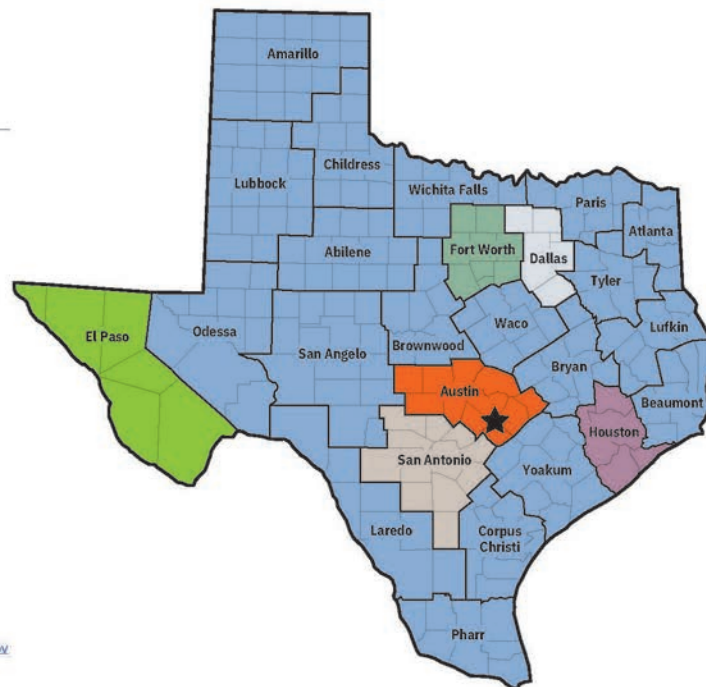
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