

**Dell Technologies**  
Computer software company



Dell Technologies Inc. is an American multinational technology company headquartered in Round Rock, Texas. It was formed as a result of the September 2016 merger of Dell and EMC Corporation. [Wikipedia](#)

**Stock price:** [DELL](#) (NYSE) \$62.44 +0.56 (+0.90%)

Nov 4, 12:06 PM EST - Disclaimer

**CEO:** [Michael S. Dell](#) (2016–)

**Revenue:** 92.15 billion USD (2020)

**Founder:** [Michael S. Dell](#)

**Founded:** September 7, 2016

**Headquarters:** [Round Rock, TX](#)

**Subsidiaries:** [Dell](#), [Dell EMC](#), [VMware](#), [Virtustream](#), [Alienware](#), [MORE](#)

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- [Michael Dell](#). Chairman & CEO.
- [Jeff Clarke](#). Chief Operating Officer and Vice Chairman, **Dell Technologies**.
- [Mike Cote](#). Chief Executive Officer, Secureworks.
- [Allison Dew](#). Chief Marketing Officer.
- [Howard Elias](#). President, Services and Digital.
- [Pat Gelsinger](#). CEO, VMware.

- Steve Price. Chief Human Resources Officer.
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20. **Why is my Form 1295 Certificate status "Pending"?** ([/resources/FAQs/FAQ\\_Form1295.php#Q16](/resources/FAQs/FAQ_Form1295.php#Q16))
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## 1. Who is required to file Form 1295?

In 2015, the Texas Legislature adopted House Bill 1295, which added section 2252.908 of the Government Code. The law states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties (Form 1295) to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The Texas Ethics Commission has adopted rules requiring the business entity to file Form 1295 electronically with the Commission.

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## 2. What is an Interested Party?

It is important to note that there are **very few instances that a business will not have any interested parties.**

An **interested party** is:

1. a person who has a controlling interest in a business entity with whom a governmental entity or state agency contracts; or
2. an intermediary.

### **Controlling Interest:**

An interested party has a controlling interest in the business entity if the interested party meets one or more of the following conditions:

- has an ownership interest or participating interest in a business entity by virtue of units, percentage, shares, stock, or otherwise that exceeds 10 percent;
- is a member of the board of directors or other governing body of a business entity of which the board or other governing body is composed of not more than 10 members; or
- serves as an officer of a business entity that has four or fewer officers, or serves as one of the four officers most highly compensated by a business entity that has more than four officers. Subsection (c) of this section does not apply to an officer of a publicly held business entity or its wholly owned subsidiaries.

### **Intermediary Interest:**

An interested party has an intermediary interest in a contract if the person actively participates in facilitating a contract or negotiating the terms of a contract with a governmental entity or state agency, including a broker, intermediary, advisor, attorney, or representative of or agent for the business entity who meets all of the following conditions:

- receives compensation from the business entity for the person's participation;
  - communicates directly with the governmental entity or state agency on behalf of the business entity regarding the contract; and
  - is not an employee of the business entity or of an entity with a controlling interest in the business entity.
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## 3. What are some examples of Interested Parties?

For example, Joe is filling out a Form 1295 for his company's contract with a governmental entity. Joe owns 50% of the company and his wife, Jane, owns 50% of the company. They have no officers or board members. Joe would list both his name and his wife's name as controlling interests.

Joe also hired a lawyer to help facilitate his company's contract with the governmental entity. Joe paid the lawyer a fee, the lawyer contacted the governmental entity, and the lawyer is not Joe's employee. Joe would list the lawyer as an intermediary.

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#### **4. Do I have to list interested parties if my company is publicly traded?**

No interested parties are needed for publicly traded companies. Those parties are already public knowledge and can be obtained elsewhere.

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#### **5. Do I have to list board members as interested parties if my non-profit entity is registered with the federal government?**

Board members are required to be listed as interested parties even if you have registered your non-profit with the federal government, regardless of whether or not the board members were listed on the federal registration form.

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#### **6. Do I have to list my board members as interested parties if I have more than 10 board members?**

If your company is controlled by a board made of up of more than 10 members, you are not required to list your board members as interested parties.

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#### **7. What is a contract id?**

A contract id is free form text that is used to identify the contract associated with this certificate. The contract ID should have been provided to you by your governmental partner. This is the identification number or text string that your governmental partner uses to keep track of the contract that you are planning to fulfill. This contract ID is usually at the top of the RFO document that your governmental partner provided to you. If you cannot find the contract ID, contact your governmental partner and request the contract ID or use text that describes the contract.

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#### **8. What contracts apply to Form 1295?**

The law applies only to a contract between a governmental entity or state agency and a business entity at the time it is voted on by the governing body or at the time it binds the governmental entity or state agency, or whichever is earlier, including an amended, extended, or renewed contract, of a governmental entity or state agency that either:

1. requires an action or vote by the governing body of the entity or agency before the contract may be signed; or
2. has a value of at least \$1 million, or
3. is for services that would require a person to register as a lobbyist under Chapter 305 of the government Code.

Gov't Code § 2252.908; 1 T.A.C. §§ 46.1(b), 46.3(a). The disclosure requirement applies to a contract entered into on or after January 1, 2016.

A contract does not require an action or vote by the governing body of a governmental entity or state agency if:

1. the governing body has legal authority to delegate to its staff the authority to execute the contract;
2. the governing body has delegated to its staff the authority to execute the contract; and
3. the governing body does not participate in the selection of the business entity with which the contract is entered into.

1 T.A.C. § 46.1(c).

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#### **9. How do I login to the filing application?**

If you have not created an account, you will need to register (<https://www.ethics.state.tx.us/TECCertInt/pages/home/register.jsf>) with the Texas Ethics Commission. After you have created an account, you will receive an email notification with a link to create a password and security questions.

If you already have an account, you can login to the Electronic Filing Application (<https://www.ethics.state.tx.us/TECCertInt/pages/login/certLogin.jsf>) with your email and password.

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## **10. Do I register as a business entity or governmental entity?**

A business account can only create certificates.

A governmental account can only acknowledge certificates.

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## **11. What is my "ID" when I click "Forgot Password" on the login page?**

Your ID is the email address you used to create your account. It is case sensitive.

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## **12. How do I reset my password?**

If you can't login to your account, you can reset your password (<https://www.ethics.state.tx.us/TECCertInt/pages/home/forgotChallenge.jsf?local=true>) with your security questions.

If you are unable to reset your password with your security questions, contact the Texas Ethics Commission at 512-463-5800.

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## **13. Can I have multiple accounts?**

You can have a separate account as long as the email accounts are different. We recommend using a group mailing list, such as a department distribution list, to sign up so that if the person responsible for the Form 1295 is replaced, you will not lose access to your previous forms.

**There is not a way to merge accounts**

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## **14. What if the contract associated with the Form 1295 is never fulfilled?**

All certificates that are acknowledged by a governmental entity will be posted to our website regardless of the eventual outcome of the contract associated with the certificate.

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## **15. Why am I not receiving emails from the Texas Ethics Commission?**

It could be that the email is in your spam or junk folder. If you do not see the email, you will need to whitelist our domain, [@https://www.ethics.state.tx.us](mailto:https://www.ethics.state.tx.us)

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## **16. What if the contract associated with the Form 1295 is never fulfilled?**

All certificates that are acknowledged by a governmental entity will be posted to our website regardless of the eventual outcome of the contract associated with the certificate.

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## **Pertaining to Business Entities**

### **17. Can I file Form 1295 on paper?**

No.

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### **18. How can I correct an error on a Form 1295 before it is acknowledged?**

There is currently not a way to edit a certificate once it has been submitted. If there is an error on the certificate, a new one will need to be made with the correct information. Be sure to submit the paper copy with the corrected information to the governmental entity you are working with.

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### **19. How can I correct an error on a Form 1295 after it has been acknowledged?**

It is not possible to correct a submitted and acknowledged 1295 certificate. If you find that the acknowledged 1295 certificate has an error, you need to create a new certificate. This new certificate must include all of the required information from the original certificate plus the changes to correct the error. In Box 3, enter this string at the very beginning of the description field:

This supercedes certificate 2016-####.

where 2016-#### is the certificate number in the "OFFICE USE ONLY" box on the certificate that contains the error.

When you have completed the data entry for the replacement certificate, submit the certificate. Print and sign the sworn declaration portion and provide the signed certificate to your government entity or state agency to acknowledge using the 1295 filing application.

Both the original certificate and the replacement certificate will be available on the TEC website.

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### **20. Why is my Form 1295 Certificate status "Pending"?**

The status of the certificate will remain in a pending state until the governmental entity receives the signed certificate and acknowledges the form is accurate. The governmental entity has up to 30 days after receiving the certificate to acknowledge it.

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### **21. Where do I send my signed certificate?**

If you are a business entity, you will send the signed certificate to the governmental agency you are working with.

If you are a governmental entity, you will retain the certificate for your records.

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### **22. Why does my certificate say "DRAFT" on it?**

The certificate will only say "DRAFT" if all fields have not been entered **and** the form has been submitted. All fields with a \* are required for filling out Form 1295.

There is also a second page to the form; You can access it by clicking the "Next" button at the bottom of the first page. Don't forget to click the check box at the top of the second page.

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## **Pertaining to Governmental Entities**

### **23. What if I accidentally acknowledge the wrong Form 1295?**

If you acknowledge a Form 1295 in error, you must contact the Texas Ethics Commission at 512-463-5800.

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## 24. How much time do I have to acknowledge a Form 1295?

A state agency or other governmental entity must acknowledge the receipt of the filed Form 1295 not later than the 30th day after the date the governing body or state agency receives the Form 1295. Once a Form 1295 is acknowledged, it will be posted to the Texas Ethics Commission's website within seven business days.

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## 25. What do I do if the filing application says the form has already been acknowledged?

Contact the Texas Ethics Commission at 512-463-5800 and ask to speak to Computer Services.

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