

CITY OF HOUSTON
REQUEST FOR PROPOSAL (RFP)
SOLICITATION NO.: S33-T25601

Date Issued: November 27, 2015

Pre-Proposal Conference: December 8, 2015 @ 9:00 A.M. CST
Strategic Procurement Division
900 Bagby, Conference Room 1
Houston, TX 77002

**Pre-Proposal Questions
Deadline:** December 11, 2015 @ 12:00 P.M. CST.

Solicitation Due Date: January 14, Year 2016 @ 2:00 P.M., CST

Solicitation Contact Person: Conley Jackson
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Project Summary: This is work completion contract for Historic Preservation Guidelines

Project Description: This RFP is for Consultant Services to develop a single set of design guidelines for three Houston Heights historic districts.

NIGP Code: [918-27, 918-63, 918-86 and 918-92]

MWBE Goal: 11%



Carolyn Hanahan, Interim Chief Procurement
Officer

November 13, 2015

Date

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PART I – GENERAL INFORMATION

1.0 General Information

The City of Houston (“City”) wishes to procure the services of a consultant(s) to provide professional services to develop at least one, and possibly as many as six, design guidelines documents for several of the City’s 22 historic districts.

2.0 City of Houston Background

The City of Houston is the fourth largest City in the United States comprising 23 departments with multiple locations throughout the City. The City has approximately 23,000 employees with approximately 500 employees involved in the procurement and/or contracting process. Contracts where the City must pay in excess of \$50,000 are routed to City Council for approval. The annual volume of contracts and purchase orders issued in the City in the last five years has ranged from 19,000 to 23,000.

3.0 Solicitation Schedule

Listed below are the important dates for this Request for Proposal (RFP).

<u>EVENT</u>	<u>DATE</u>
Date of RFP Issued	November 27, 2015
Pre-Proposal Conference	December 8, 2015
Questions from Proposers Due to City	December 11, 2015
Proposals Due from Proposers	January 14, 2016
Notification of Intent to Award (<i>Estimated</i>)	February 26, 2016
Council Agenda Date (<i>Estimated</i>)	April 20, 2016
Contract Start Date (<i>Estimated</i>)	April 27, 2016

PART II – SCOPE OF WORK/TECHNICAL SPECIFICATIONS

1.0 INTRODUCTION

1.1 The City of Houston Planning and Development Department is soliciting proposals from qualified consulting firms to provide professional services to develop at least one, and possibly as many as six, design guidelines documents for several of the City’s 22 historic districts. Recent amendments to the City’s Historic Preservation Ordinance require the completion of one set of design guidelines, to collectively serve the Houston Heights East, Houston Heights West, and Houston Heights South Historic Districts, within 16 months. Design guidelines for an additional five historic districts are also desired, but not mandated. The consultant’s work on this project is anticipated to begin in April 2016 and to be completed by February 2017.

2.0 BACKGROUND

2.1 Houston currently contains 21 residential historic districts and one commercial historic district. Houston is a growing city, primarily known for new modern developments, rather than historic preservation. Although the City adopted a historic preservation ordinance in 1995, it was largely voluntary. In 1997, the City created the first protected historic district in the Old Sixth Ward. The City finally approved a preservation ordinance with real enforcement in 2010. The Houston Archaeological and Historical Commission, staffed by the City’s Planning and Development Department, are responsible for administering the City’s historic preservation ordinance.

With the exception of the Old Sixth Ward Protected Historic District and three historic districts created after 2010, the historic preservation program operates without design guidelines for individual districts. Several informational design guides, developed by a local architect/planner, were created as reference materials in 2005 but were never formally adopted. An ordinance amendment in 2010, which changed the criteria for considering Certificates of Appropriateness and provided for enforcement, rendered those informational guides obsolete.

Since 2010, the City has managed the preservation program with a Historic Preservation Web Manual. This Manual provides information and resources, as well as examples of appropriate and inappropriate elements in each of the districts. Still, stakeholders continue to request more definitive information that can provide a clearer sense of whether a request is likely to be approved by the HAHC. Partly in response to these requests, the City spent the past year revising its Historic Preservation Ordinance through a transparent process that included significant community engagement. These amendments were approved by City Council in October 2015.

The most popular programmatic change brought about by this amendment is the call for the creation of design guidelines for the three Heights area districts: Houston Heights East, Houston Heights West, and Houston Heights South.

3.0 PROJECT AREA

- 3.1 *The primary portion of this project involves the three historic districts in Houston Heights. Information about other districts is provided in the Alternatives sections of this RFP.*

Houston Heights, Houston's first "streetcar suburb," was developed starting in 1891 and includes a variety of architectural styles from the turn of the century. Lots in a variety of sizes were affordable for both wealthy and working-class people. The town plan included industrial and commercial areas, to create a complete city where people could live, work, and shop. The City of Houston Heights was incorporated in 1896 and had its own schools, city hall, jail, fire department, and hospital. Deed restrictions controlled setback, use, quality, and size of construction. After Houston Heights was annexed to the City of Houston in 1918, the deed restrictions were no longer enforced and properties began to change. Small houses were built in the spaces between large houses, and some large homes were replaced by apartment buildings. Neighborhood revitalization and gentrification began in the 1970s. Many historic homes have been restored or renovated, and modern buildings are being built on vacant lots, often using traditional details in order to blend in with the rest of the neighborhood. The Houston Heights Association was organized in 1973 to promote revitalization. That organization currently has about 1,000 members and manages new deed restrictions adopted in various sections of the neighborhood.

Since 1990, the greater Houston Heights area – which contains three contiguous historic districts: Houston Heights East, Houston Heights West, and Houston Heights South – has become increasingly desirable for young families and professionals wishing to live closer to downtown. As a result, a typical 6600-square-foot residential lot in Houston Heights is valued at about \$330,000; the average improvement value is around \$250,000, including new construction and remodeled/expanded houses. Certificate of Appropriateness (COA) applications are frequently submitted for Heights-area projects to demolish, relocate, or significantly add on to original houses.

4.0 SCOPE OF WORK

The consultant will provide a detailed project plan/schedule at the outset of this project.

The consultant will develop a single set of design guidelines for the three Houston Heights historic districts: East, South, and West. Additionally, the City may elect to engage the consultant to develop one, more than one, or none of the sets of design guidelines as described in the section titled *Alternatives*, below:

4.1 Content and Format of the Design Guidelines

All design guidelines developed during this project will provide clear, concise guidance to help property owners interpret the requirements of the historic preservation ordinance as it applies to Certificates of Appropriateness within the subject district(s). Each set of design guidelines will include:

- A map and description of the proposed historic district, including boundaries; photographs of buildings in the district; an inventory of the age, setting, character, and architectural, cultural, or historical significance of structures in the district; and objectives to be achieved in the historic district;

- A statement of the architectural, cultural, or historical significance of the district and a description of the structures and features to be preserved; and
- A set of specific standards that illustrate compliance and noncompliance with the criteria for Certificates of Appropriateness for demolition, new construction, alteration, rehabilitation, restoration, and relocation that are tailored to the specific characteristics and features of the district(s) for which the design guidelines are written. These standards may be stricter than the provisions of the historic preservation ordinance, and shall not be more lenient except as provided for by the ordinance.

The design guidelines shall not contain any standards for reviewing applications for Certificates of Appropriateness that allow for activity specifically prohibited by the criteria for Certificates of Appropriateness in the ordinance, except as provided by the ordinance. Design guidelines shall not provide for alternative rules and regulations except as provided for in the ordinance.

The design guidelines will clearly differentiate between those standards that are mandatory and those that are discretionary. The proposal should clearly state the consultant's proposed approach to explaining concepts such as scale and massing, and provide at least one example of previous work that illustrates that approach.

The design guidelines document will be created using Adobe InDesign (Creative Cloud version). The consultant will deliver the final document in the following formats: native InDesign-CC file, packaged with all fonts and linked images; Portable Document Format (PDF) file exported for high-quality printing; PDF file sized for email/posting online; and five (5) hard copies, printed in color with an appropriately durable cover and spiral bound. Any creative assets purchased during the production of the design guidelines will be provided to the City, along with any associated license for that asset's ongoing use.

The proposal should clearly state the number of rounds of revisions included in the proposal and its expectations for response times from the City.

The consultant will not be responsible for any translation to a language other than English.

4.2 The City's Role

- 4.2.1 Since 2010, three new historic districts have been created; Steph McDougal, of McDoux Preservation LLC, a local consultant, has developed design guidelines for those districts. Ms. McDougal also assisted the City with the creation of its Historic Preservation Web Manual. For this project, Ms. McDougal has joined the Planning staff to assist with the development of this RFP, serve as the primary day-to-day point of contact for the consultant, coordinate/facilitate community engagement efforts, provide general assistance, and extend staff capacity as needed. She will also update the post-2010 guidelines, based on the ordinance amendments, and possibly develop design guidelines for other historic districts where such guidelines are not urgently needed and therefore are a lower priority.
- 4.2.2 The City will provide to the consultant digital copies of each district's designation reports (with inventories and maps current as of the date of designation), all photographs currently on file, current GIS maps of the districts, and a data set of critical structure measurements for representative properties in the Heights districts, including height, width, setback, etc. The City also will provide a copy of the Houston Heights Multiple Resource Area National Register nomination report and photographs, copies of any individual landmark or protected landmark designation reports within the historic district, and other historic information currently on hand at the City which may be easily provided via digital files.
- 4.2.3 The City will be responsible for mailings to property owners and residents, scheduling and noticing community meetings, and similar tasks typically undertaken by City staff.

4.3 Community Engagement

- 4.3.1 The development of design guidelines will be accompanied by an extensive community outreach and education process, including a robust communication plan to include regular email blasts, blog posts, community surveys, and project webpage. The City will develop and publish all communications, with input from the consultant as needed; the consultant will not be responsible for the design or content of these communication vehicles.
- 4.3.2 In order to expedite the development of design guidelines for the Heights districts, the City will hold several information-gathering workshops with the community during the bid solicitation period and prior to the Notice To Proceed. The City will provide, for the consultant's reference at the outset of this project, materials from each meeting to include the meeting notice, agenda, presentation, unedited list of all individual comments received, and summary meeting report.
- 4.3.3 The consultant will be required to travel to Houston a minimum of three times to attend and participate in no fewer than three community meetings for the Heights districts design guidelines project. During those visits, additional meetings and activities will be required as follows:
- a. Meeting #1: Introduce the project and the consultants, review the results of the visioning workshops, and gather feedback from the community.
 - o Separately, receive reference materials gathered for this project; meet with the project team and steering committee; meet with HAHC commissioners to discuss the issues they most frequently encounter when reviewing Heights COAs and how the design guidelines could help them; and take a tour/windshield survey of the district.
 - b. Meeting #2: Review the consultant's findings and recommendations for the design guidelines document, and gather feedback from the community.
 - o Separately, meet with the project team and steering committee.
 - c. Meeting #3: Present the draft design guidelines document, and gather feedback from the community.
 - o Separately, meet with the project team and steering committee.
- 4.3.4 City staff will present the final design guidelines document to the HAHC and City Council.
- 4.3.5 The consultant will be responsible for developing their own meeting presentations, in collaboration with City staff, along with any handouts and feedback-gathering materials needed. The City will provide the consultant with a complete list of all comments received during the community engagement process. The consultant will provide the City with a summary meeting report in a timely manner following each meeting.

4.4 Project Timeline

The anticipated timeline for the primary project (Heights design guidelines) is as follows:

June 2016	Community Meeting #1 – introduce consultants
August 2016	Community Meeting #2 – present findings and recommendations
September 2016	Usability Testing (to be completed by City staff with consultant input)
October 2016	Community Meeting #3 – present draft design guidelines
December 1, 2016	Final draft of design guidelines due for presentation to HAHC and Quality of Life Committee
February 15, 2017	Any final revisions are completed and project deliverables are due to City

The contractor shall provide a schedule for the completion of each Alternative, if different from the above.

Resources

City of Houston Historic Preservation Web Manual
<http://www.houstontx.gov/planning/HistoricPres/HistoricPreservationManual/index.html>

4.5 Design Alternatives

4.5.1 Alternative #1:

The consultant will update the existing design guidelines for the Old Sixth Ward Historic District.

The consultant will create new design guidelines for the Norhill Historic District.

These two historic districts are similar in that a strong neighborhood association exists in each district, and the City believes that there is general consensus among residents about the goals for each neighborhood.

The consultant will adhere to the same requirements as listed for the Heights districts design guidelines, with the following exception:

Community Engagement

The consultant will be responsible for any visioning activities and development of neighborhood consensus in advance of the creation of the design guidelines document. The consultant will attend and participate in no fewer than three community meetings for each district's design guidelines project:

Meeting #1: Introduce the project and the consultants, hold a visioning workshop, and gather feedback from the community.

Meeting #2: Review the consultant's findings and recommendations for the design guidelines document, and gather feedback from the community.

Meeting #3: Present the draft design guidelines document, and gather feedback from the community.

City staff will present the final design guidelines document to the HAHC and City Council.

4.5.2 Alternative #2:

The consultant will create new design guidelines for the Main Street/Market Square Historic District.

The consultant will adhere to the same requirements as listed for the Heights districts design guidelines, with the following exception:

Community Engagement

The consultant will be responsible for any visioning activities and development of property owner consensus in advance of the creation of the design guidelines document. The consultant will attend and participate in no fewer than two community meetings for this district's design guidelines project:

Meeting #1: Introduce the project and the consultants, hold a visioning workshop, and gather feedback from the community.

Meeting #2: Review the consultant's findings and recommendations for the design guidelines document.

Meeting #3: Present the draft design guidelines document, and gather feedback from the community. City staff will present the final design guidelines document to the HAHC and City Council.

4.5.3 Alternative #3:

The consultant will create new design guidelines for the Glenbrook Valley Historic District.

The consultant will create new design guidelines for the Woodland Heights Historic District.

The Woodland Heights Historic District is likely to be similar to the Heights historic districts in terms of neighborhood goals, content of the district, etc.; however, it is a separate district with its own neighborhood association, and therefore must be attended to separately.

Glenbrook Valley Historic District has few COA issues at this time, with the exception of the replacement of original aluminum windows. However, the inventory for this district needs to be updated in terms of the classification of contributing and Non-Contributing resources. Those classifications were originally based primarily on age, rather than architectural qualities and therefore some properties that should be contributing may not be classified as such. The consultant will be expected to review and recommend the Contributing/Non-Contributing status of all 1,200 properties in this mid-century modern district.

For these historic districts, the consultant will adhere to the same requirements as listed for the Heights districts design guidelines, with the following exception:

Community Engagement

The consultant will be responsible for any visioning activities and development of neighborhood consensus in advance of the creation of the design guidelines document. The consultant will attend and participate in no fewer than three community meetings for each district's design guidelines project:

Meeting #1: Introduce the project and the consultants, hold a visioning workshop, and gather feedback from the community.

Meeting #2: Review the consultant's findings and recommendations for the design guidelines document, and gather feedback from the community.

Meeting #3: Present the draft design guidelines document, and gather feedback from the community.

City staff will present the final design guidelines document to the HAHC and City Council.

4.6 Project Areas

Old Sixth Ward

The Old Sixth Ward, located just west of downtown Houston, maintains the feeling of a modest, self-contained 19th and early 20th century neighborhood. Many of the buildings still standing today were built between 1870 and 1900, with early 20th century bungalows, a historic school, corner stores, and some newer construction scattered throughout. The Old Sixth Ward Historic District has the largest concentration of Victorian houses in Houston. The neighborhood has been listed in the National Register of Historic Places since 1978 and was designated as a City of Houston Historic District in 1997. A decade later, the neighborhood took further preservation measures and applied for designation as a Protected Historic District. In August 2007, Houston City Council designated the Old Sixth Ward as Houston's first Protected Historic District. As part of this designation process, City Council adopted Design Guidelines for Old Sixth Ward Protected District.

Norhill

Norhill, a planned community for working-class families, developed north of downtown in the 1920s. Most houses in the neighborhood are Craftsman bungalows. The Norhill Historic District includes two of the three sections of the original neighborhood: the North and East sections (located north of 11th Street). Norhill was built with streets, curbs, sidewalks, and water and sewer lines. Norhill Boulevard, which runs the entire length of the neighborhood, contains esplanades that provided green space and a park-like quality to the neighborhood. The developers also planned space for schools, parks, and commercial activity. Norhill was only a short streetcar or automobile ride from downtown, and the entire subdivision developed very quickly. Deed restrictions required that all houses cost at least three times as much as the lot on which they were built; the homes had to be set back from the street by a certain distance, and no garages could be used for living quarters. On lots surrounding Proctor Plaza, homes were required to have brick veneer on the exterior. Over time, Norhill experienced the same ups and downs as other historic neighborhoods. The Norhill Neighborhood Association is actively involved in improving the community.

Main Street Market Square Main Street Market Square is the only commercial historic district in Houston. It contains 52 buildings, the Main Street Viaduct, Allen's Landing Park, and Market Square Park. About half of the buildings within the district were constructed between 1858 and 1900; the rest were built between 1901 and 1935. The historic district contains Houston's largest, most nearly intact group of buildings that represent our civic and commercial past. During the 1860s and early 1870s, a permanent City Hall and Market House, along with other two-story stone and brick buildings, were built in Market Square. New architects began to work in Houston during the 1890s and new construction methods and materials enabled taller buildings to be built. After 1900, the creation of the Houston Ship Channel and Port of Houston brought more money into the city, and architects from around the United States were commissioned to design tall buildings with classical details in downtown Houston. Some of these included Sanguinet & Staats (Fort Worth), Jarvis Hunt (Chicago), and the firm of Mauran, Russell, & Crowell (St. Louis).

In Houston, locally prominent architects included Eugene Heiner and George Dickey. Houston's building boom subsided in 1913 but exploded again after World War I, mostly outside the Main Street Market Square district, which was relatively stable by that point. However, several buildings were constructed in the district, and others were altered or expanded. By the start of the Great Depression, the centers of commerce and government had begun to move beyond Main Street Market Square to other parts of downtown. Around 1950, buildings downtown — including the Market Square building — began to be demolished to make way for surface parking lots.

In the 1960s and 1970s, both Market Square and Allen's Landing were turned into parks. Buildings in the district began to be converted to offices around the same period. The historic buildings now remaining on Travis Street and Congress Street, facing the park, represent what once was present on all sides of Market Square. In 1974, Harris County proposed to level an entire block near Courthouse Square in order to build a new county administration building. Thanks to the efforts of concerned citizens, most of those buildings were saved. However, many property owners in the area reacted by demolishing their buildings before anyone could object. The number of buildings that have been lost make those remaining in the district that much more valuable.

Woodland Heights

Woodland Heights is a subdivision in the greater Heights area, north of downtown Houston, established Woodland Heights in 1907. It was designed to be upscale, yet affordable for middle class families. Most of the houses were built in the Queen Anne, Craftsman, and American Four Square styles. Woodland Heights' deed restrictions defined the look and feel of the neighborhood. No commercial businesses were allowed, and no alcohol could be sold within the subdivision. The deed restrictions also required a generous setback, creating consistently large front yards with plenty of room for grass, trees, and flowers. The original deed restrictions lapsed at some point, leaving the neighborhood without rules to protect its appearance. After the I-610 Loop was built around Houston, many residents left Woodland Heights for the new outer suburbs. When a state law was passed in 1988 that allowed neighborhoods to reinstate lapsed deed restrictions, Woodland Heights residents reinstated deed restrictions, Minimum Building Line (MBL) ordinances to regulate front setback, and lot size ordinances. Those deed restrictions and ordinances affect various sections of Woodland Heights.

Glenbrook Valley

Glenbrook Valley is a planned community of 1,254 single-family homes in Southeast Houston, built in 13 sections between 1953 and 1962. The entire neighborhood is designated as a Historic District and is Houston's largest and most intact neighborhood of Ranch and Mid-Century Modern homes. It was designed by the landscape architecture firm Hare and Hare, which also designed River Oaks and many of Houston's city parks. Glenbrook Valley received national attention when it was built.

5.0 PRICE

Budget

Proposers shall include a budget for the primary project (Heights design guidelines), along with separate budgets for each of the Alternatives described below. The City may elect to include in the final contract the primary project as well as any combination of Alternatives or no Alternatives.

The proposed budgets for this project should be as detailed as possible and enclosed in a separate sealed envelope marked "Price Proposal". Please provide a schedule of hourly billing rates for any additional services. All reimbursable expenses, including copies, mail and mileage must be included in the budget.

Billing should occur on the basis of milestones achieved each month, as supported by monthly status reports corresponding to the project plan/schedule.

The City will consider the overall pricing for the comprehensive solution in its selection process.

PART III – MINIMUM PROPOSER QUALIFICATIONS AND REQUIREMENTS

1.0 Qualifications

- 1.1 Proposer must possess thorough knowledge of the Secretary of the Interior's Professional Qualifications Standards for Historic Preservation (36 CFR Part 61; see http://www.nps.gov/history/local-law/arch_stnds_9.htm).
- 1.2 The proposers selected project manager shall be committed to the project and a substitute manager will not be allowed without prior written approval by the City of Houston.
- 1.3 Proposer must have completed at least three design guidelines projects that were finalized within the past five years and adopted by their client city governments.
- 1.4 Proposer must have a clear understanding of concepts such as scale and massing, and be able provide at least one example of previous work that illustrates that approach.
- 1.5 Proposer must clearly state the number of rounds of revisions included in the proposal and its expectations for response times from the City.
- 1.6 Proposer must be able to describe in detail the experience of the consultant/firm in preparing Design Review Guidelines.
- 1.7 Proposer must discuss the consultant's/firm's ability to integrate this project into the consultant's/firm's present workload.
- 1.8 Proposer must be able to demonstrate the consultant's/firm's ability to perform the work.

PART IV – EVALUATION AND SELECTION PROCESS

An evaluation committee will evaluate responsive proposals in accordance with the evaluation criteria listed below. Upon completion of the evaluation, the committee may develop a short list of Proposer(s) meeting (but not limited to) the Qualifications, Experience and Proposed Solutions requirements. Price proposals of those shortlisted will be evaluated/scored once they are identified by the evaluation committee. The shortlisted Proposer(s) may be scheduled for a structured oral presentation, demonstration and/or interview. Such presentations will be at no cost to the City of Houston. At the end of the oral presentation, demonstration and/or interview, the evaluation of the shortlisted Proposer(s) will be completed. However, the evaluation committee reserves the right to issue letter(s) of clarification when deemed necessary to any or all Proposer(s). The oral presentations, demonstrations and/or interviews may be recorded and/or videotaped.

1.0 Interviews/Oral Presentations

The City reserves the right to request and require that each Proposer provide a final presentation of its proposal at a scheduled date and time. No Proposer is entitled to this opportunity, and no proposer will be entitled to attend presentations of any other Proposer. The purpose of the presentations is to inform the work of the evaluation committee. If necessary, Proposers may be required to make more than one presentation or demonstration.

2.0 Selection Process

Upon review of all information provided by shortlisted proposers, the evaluation committee will make a recommendation for selection to City officials. The City reserves the right to check references on any projects performed by the proposer whether provided by the proposer or known by the City. Selected proposal will be submitted for approval by the appropriate City officials. The City of Houston intends to select a proposal that best meets the needs of the City and provides the overall best value. Upon approval of the selected Proposer, a contract will be executed by the appropriate City officials.

3.0 Best and Final Offer

City reserves the right to request a Best and Final Offer from finalist Proposer(s), if it deems such an approach necessary. In general, the Best and Final Offer would consist of updated costs as well as answers to specific questions that were identified during the evaluation of Proposals.

If City chooses to invoke this option, Proposals would be re-evaluated by incorporating the information requested in the Best and Final Offer document, including costs, and answers to specific questions presented in the document. The specific format for the Best and Final Offer would be determined during evaluation discussions. Turnaround time for responding to a Best and Final Offers document is usually brief (i.e., five (5) business days).

4.0 Evaluation Criteria

4.1 Responsiveness of Proposal

1.) Proposer is compliant with all the submission requirements of the RFP. Proposers shall meet all components of the RFP that will enable committee to conduct evaluation.

4.2 Technical Competence

- 1.) Qualifications and specialized experience of the firm to successfully perform the services as evidenced by experience on proposal of similar scope of magnitude.
- 2.) Qualification and specialized experience of key personnel to successfully implement the project as evidenced by experience in similar role as that proposal.
- 3.) Quality of overall proposed plan of action, including but not limited to strategy, understanding of RFP technical requirements and quality assurance control measures.
- 4.) Quality of the proposer description of how the Secretary of the Interior's Professional qualifications Standards for Historic Preservation (36 CFR Part 61, see http://www.nps.gov/local-law/arch_stnds_9.htm) will be met by the project manager and other personnel, if applicable.
- 5.) Quality of proposed M/WBE Participation aligned with the project scope.
- 6.) Financial Stability of the Proposer to successfully undertake the project and ability to ensure performance over the duration of the contract, as evidenced by copies of its audited financial statements for the part two (2) years.

4.3 Price Proposal: Reasonableness of the price proposal. Enclosed in a separate sealed envelope marked "Price Proposal." The price proposal shall include a detailed budget for each of the following:

- 1.) Houston Heights Historical Districts (East, South, and West) Design Guidelines
- 2.) Alternative #1
- 3.) Alternative #2
- 4.) Alternative #3
- 5.) Hourly rate for additional services
- 6.) Reimbursable expenses (including copies, mail and mileage)

Note: Price will not be used to determine the shortlisted proposers

PART V – SUBMISSION OF PROPOSAL

1.0 Instructions for Submission

- 1.1 Number of Copies. Please submit **seven (7)** copies of the Proposal, including one (1) printed original signed in BLUE ink, and additional **seven (7)** electronic thumb drives are to be submitted in a sealed envelope bearing the assigned Solicitation Number, located on the first page of the RFP document to:

**City Secretary's Office
City Hall Annex, Public Level
900 Bagby Street
Houston, Texas 77002**

The City of Houston shall bear no responsibility for submitting responses on behalf of any Proposer. Proposer(s) may submit their Proposal to the City Secretary's Office any time prior to the stated deadline.

- 1.2 Time for submission. Proposals shall be submitted no later than the date and time indicated for submission in this RFP. Late submittals will not be considered and will be returned unopened.
- 1.3 Format. Proposal should be left-bound with information on both sides of the page when appropriate. Material should be organized following the order of the submission requirements separated by labeled tabs. Expensive paper and bindings are discouraged since no materials will be returned.
- 1.4 Complete submission. Proposers are advised to carefully review all the requirements and submit all documents and information as indicated in this RFP. Incomplete proposals may lead to a proposal being deemed non responsive. Non-responsive proposals will not be considered.
- 1.5 Packaging and Labeling. The outside wrapping/envelope shall clearly indicate the RFP Title and date and time for submission. It shall also indicate the name of the proposer. The Price Proposal shall be submitted in a separate sealed envelope. The envelope shall clearly identify the content as "Price Proposal". All other submission requirements shall be included with the Technical Proposal.
- 1.6 Timely delivery of Proposals. The Proposal, including the Technical Proposal, the Pricing Proposal and signed Contract, must be delivered by hand or sent to the City Secretary's Office via courier services to the address shown on the cover sheet of this RFP. Include the RFP number on any package delivered or sent to the City Secretary's Office and on any correspondence related to the Proposal. If using an express delivery service, the package must be delivered to the designated building. Packages delivered by express mail services to other locations might not be re-delivered in time to be considered.
- 1.7 Late Proposals. The proposer remains responsible for ensuring that its Proposal is received at the time, date, place, and office specified. The City assumes no responsibility for any Proposal not so received, regardless of whether the delay is caused by the U.S. Postal Service, the courier delivery service, or some other act or circumstance.

2.0 Submission Requirements

- 2.1 Cover letter: The cover letter shall be signed by an authorized representative of the Proposer. The letter should indicate the Proposer's commitment to provide the services proposed. Also, the cover letter shall identify the members of the team that comprise the Proposer. Indicate the organizational relationship of the team members.
- 2.2 Executive Summary: The executive summary should include a brief overview of the solution proposed, the overall strategy for implementation, the key personnel who will be responsible for seeing the project through completion,
- 2.3 Offer and Submittal Form: See Exhibit I

2.4 Methodology and Solutions Proposed:

- 2.4.1 Provide a detailed methodology and solutions, including but not limited to strategy or the understanding of RFP technical requirements.
- 2.4.2 Provide a detailed proposed approach to explaining concepts such as scale and massing, and provide at least one example of previous work that illustrates that approach.
- 2.4.3 The proposal should clearly state the number of rounds of revisions included in the proposal and the proposer's expectations for response times from the City.
- 2.4.4 The proposal will include a schedule for the completion of each Alternative, if different from the schedule outlined in the RFP.

2.5 Qualifications and Experience of the Proposer:

- 2.5.1 The proposer shall include the name of the project manager, his or her qualifications and experience, and the names, qualifications, and experience of other key personnel who would be associated with the project.
- 2.5.2 The proposer shall describe how the Secretary of the Interior's Professional Qualifications Standards for Historic Preservation (36 CFR Part 61; see http://www.nps.gov/history/local-law/arch_stnds_9.htm) will be met by the project manager (and other personnel, if applicable). The selection of a project manager by a consultant/firm will constitute a contractual commitment by that consultant/firm and a substitute manager will not be allowed without prior written approval by the City of Houston.
- 2.5.3 The proposer shall include at least three references of past clients with which design guidelines projects have been finalized and adopted by the client's city governments within the past five years, and the names of the key personnel proposed for this project who worked on the referenced projects.
- 2.5.4 The proposer shall discuss the consultant's/firm's ability to integrate this project into the consultant's/firm's present workload.
- 2.5.5 The proposer shall demonstrate the consultant's/firm's ability to perform the work.

2.6 Qualifications of Key Personnel: Provide chronological resumes of the key personnel that will be assigned to the project. Please provide at least three (3) references of projects where key personnel performed in a similar role as that proposed for this project.

2.7 M/WBE Participation: Proposer shall identify the M/WBE participation level and the role that each M/WBE firm will have in the project implementation. Since M/WBEs proposed are considered part of the team, the Proposer shall include all relevant information necessary to effectively perform the evaluation of the proposal as it relates to the submission requirements listed in this section.

2.8 Financial Stability. Provide the audited financial statements or Federal Tax Forms Filed to the Internal Revenue Service (IRS) for the past two fiscal years. At a minimum, include the letter of opinion, balance sheet, schedules, and related auditor's notes.

2.9 Legal Actions. Provide a list of any pending litigation and include a brief description of the reason for legal action.

2.10 Conflict of Interest. Provide information regarding any real or potential conflict of interest. Failure to address any potential conflict of interest upfront may be cause for rejection of the proposal.

2.11 Other. Submit any information the Proposer deems pertinent to demonstrating its qualifications to perform the services being requested such as memberships in any professional associations, documents, examples, and others.

2.12 Forms and Certifications: Complete all forms and certifications attached, as appropriate.

2.13 Price Proposal: Please submit price proposal in a separate sealed envelope mark "Price Proposal".

PART VI – SPECIAL CONDITIONS

1.0 No Contact Period

Neither Proposer(s) nor any person acting on Proposer(s)'s behalf shall attempt to influence the outcome of the award by the offer, presentation or promise of gratuities, favors, or anything of value to any appointed or elected official or employee of the City of Houston, their families or staff members. All inquiries regarding the solicitation are to be directed to the designated City Representative identified on the first page of the solicitation. Upon issuance of the solicitation through the pre-award phase and up to the date the City Secretary publicly posts notice of any City Council agenda containing the applicable award, aside from bidder's formal response to the solicitation, through the pre-award phase, written requests for clarification during the period officially designated for such purpose by the City Representative, neither Proposers(s) nor persons acting on their behalf shall communicate with any appointed or elected official or employee of the City of Houston, their families or staff through written or oral means in an attempt to persuade or influence the outcome of the award or to obtain or deliver information intended to or which could reasonably result in an advantage to any bidder. However, nothing in this paragraph shall prevent a bidder from making public statements to the City Council convened for a regularly scheduled session after the official selection has been made and placed on the City Council agenda for action, or to a City Council committee convened to discuss a recommendation regarding the solicitation.

2.0 Equal Opportunity Employment

The City of Houston Ordinance Section 15-17 establishes Equal Employment Opportunity Contract Compliance requirements for all City of Houston contracts involving the expenditure of Fifty Thousand Dollars (\$50,000) or more. Any contract for professional services that results from this RFP will provide that the failure to carry out the requirements set forth in the City of Houston Equal Employment Opportunity Program shall constitute a breach of contract and may result in termination of the agreement or contract. In addition, the City may take any such additional remedy as deemed appropriate.

3.0 Minority and Woman Business Enterprises (MWBE)

Contactors shall comply with the City's Minority and Women Business Enterprise ("MWBE") programs as set out in Chapter 15, Article V of the City of Houston Code of Ordinances. Contractor shall make good faith efforts to award subcontracts or supply agreements in at least the value stated in this Agreement to MWBE's. Contractor acknowledges that it has reviewed the requirements for good faith efforts on file with the City's Office of Business Opportunity (OBO) and will comply with them.

4.0 Protests

A protest shall comply with and be resolved, according to the City of Houston Procurement Manual http://purchasing.houstontx.gov/docs/Procurement_Manual.pdf and rules adopted thereunder. Protests shall be submitted in writing and filed with both, the City Attorney and the Solicitation contact person. A pre-award protest of the RFP shall be received five (5) days prior to the solicitation due date and a post-award protest shall be filed within five (5) days after City Council approval of the contract award.

4.1 A protest must be filed in accordance with the timing requirements set forth herein and must include:

- a. the name, address, telephone number and email address of the protestor;
- b. the number of the solicitation;
- c. all information confirming that the protestor is an interested party;
- d. a written statement of the grounds for the protest and the law, ordinance, or policy alleged to have been violated. The statement should be accompanied by relevant supporting documentation and the relief requested.
- e. all information confirming the timeliness of the protest; and

- f. the signature of the protestor

Protests shall be submitted to:
Acting Chief Procurement Officer
City of Houston
901 Bagby, B300
Houston, TX 77002

4.2 The City recognizes three types of protests:

- a. Protests regarding solicitation (Pre-Bid Protest)
Any protest regarding a solicitation published by the City shall be filed no later than five (5) days before the opening of bids (if a competitive bid) or due date for submittals or proposals (if an RFP/RFQ), as appropriate. Any protest filed after the due date raising issues regarding the solicitation will not be considered.
- b. Protests regarding the evaluation of bids, qualifications, or proposals (Pre-Award Protest)
Any protest regarding the evaluation of bids, qualifications, or proposals by the City must be filed no later than ten (10) days after:
opening of bids (if a bid); or
due date (if RFQ/RFP); or
notification that the interested party's bid or proposal has been rejected.
Any protest received after the deadline will not be considered.
- c. Protests regarding award of contract (Post-Award Protest)
Upon receipt of a timely and properly filed protest regarding the award of a contract, the City will not issue a notice to proceed or submit an order for goods until the protest has been resolved, provided such delay will not be detrimental to the interests of the City.

PART VII – INSTRUCTIONS TO PROPOSERS

1.0 Pre-Proposal Conference

A Pre-Proposal Conference will be held at the date, time, and location as indicated on the first page of the RFP document. Interested Proposer(s) should plan to attend. It will be assumed that potential Proposer(s) attending this meeting have reviewed the RFP in detail, and are prepared to bring up any substantive questions not already addressed by the City.

2.0 Additional Information and Specification Changes

Requests for additional information and questions should be addressed to the Finance Department, Strategic Procurement Division Buyer Conley Jackson, telephone: 832.393-8733, fax: 832.393.8759, or e-mail (preferred method to): conley.jackson@houstontx.gov no later than 12:00 p.m., CST, December 4, 2015. The City of Houston shall provide written responses to all questions received in writing before the submittal deadline. Questions received from all Proposer(s) shall be answered and sent to all Proposer(s) who are listed as having obtained the RFP. Proposer(s) shall be notified in writing of any changes in the specifications contained in this RFP.

3.0 Letter(s) of Clarification

- 3.1. All Letters of Clarification and interpretations to this Solicitation shall be in writing. Any Letter of Clarification(s) or interpretation that is not in writing shall not legally bind the City of Houston. Only information supplied by the City of Houston in writing or in this RFP should be used in preparing Proposal responses.
- 3.2. The City does not assume responsibility for the receipt of any Letters of Clarification sent to Proposer(s).

4.0 Examination of Documents and Requirements

- 4.1. Each Proposer shall carefully examine all RFP documents and thoroughly familiarize themselves with all requirements prior to submitting a Proposal to ensure that the Proposal meets the intent of this RFP.
- 4.2. Before submitting a Proposal, each Proposer shall be responsible for making all investigations and examinations that are necessary to ascertain conditions and affecting the requirements of this RFP. Failure to make such investigations and examinations shall not relieve the Proposer from obligation to comply, in every detail, with all provisions and requirements of the RFP.

5.0 Exceptions to Terms and Conditions

- 5.1. All exceptions included with the Proposal shall be submitted in a clearly identified separate section of the Proposal in which the Proposer clearly cites the specific paragraphs within the RFP where the Exceptions occur. Any Exceptions not included in such a section shall be without force and effect in any resulting contract unless such Exception is specifically referenced by the Chief Procurement Officer, City Attorney, Director(s) or designee in a written statement. The Proposer's preprinted or standard terms will not be considered by the City as a part of any resulting contract.
- 5.2. All Exceptions that are contained in the Proposal may negatively affect the City's Proposal evaluation based on the evaluation criteria as stated in the RFP, or result in possible rejection of Proposal.

6.0 Post-Proposal Discussions with Proposer(s)

- 6.1. It is the City's intent to commence final negotiation with the Proposer(s) deemed most advantageous to the City. The City reserves the right to conduct post-Proposal discussions with any Proposer(s).

PART VIII – REQUIRED FORMS TO BE SUBMITTED WITH PROPOSAL

- 1.0 Offer and Submittal, List of References and List of Proposed Subcontractors (Exhibit I)
- 2.0 Signed M/WBE Forms: Attachment "A" Schedule of M/WBE Participation, Attachment "B", Notice of Intent, Attachment "C", Certified M/WBE Subcontract Terms, Attachment "D" Office of Business Opportunity and Contract Compliance M/WBE Utilization Report (Exhibit II)
- 3.0 Fair Campaign Ordinance Form "A" (Exhibit III)
- 4.0 Affidavit of Ownership or Control (Exhibit IV)
- 5.0 Anti-Collusion Statement (Exhibit V)
- 6.0 Conflict of Interest Questionnaire (Exhibit VI)

PART IX – REQUIRED FORMS TO BE SUBMITTED BY AWARDED VENDOR ONLY

Required forms shall be supplied to the vendor after award.

- 1.0 Insurance Requirements and Sample Insurance Certificate (Exhibit VII)
- 2.0 Drug Compliance Agreement Attachment "A", Drug Policy Compliance Declaration Attachment "B" and Contractor's Certification of No Safety Impact Positions Attachment "C" and "D" (Exhibit VIII)
- 3.0 City Contractors' Pay or Play Acknowledgement Form and Pay or Play Certificate Agreement, Pay or Play Program Acknowledgment Form "1" (Exhibit IX)

- 4.0 Hire Houston First Affidavit (Download Copy at <http://www.houstontx.gov/obo/hirehoustonfirst.html> and submit to Office of Business Opportunity, Houston Business Solutions Center via e-mail to houstonbsc@houstontx.gov or fax to 832-393-0650 or submit copy with proposal.
- 5.0 Requested Information Outlined in the Scope of Work and Other Additional Relevant/Supporting Information or Alternate Proposals.

**EXHIBIT I
OFFER AND SUBMITTAL, REFERENCES, PROPOSED SUBCONTRACTORS**

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**EXHIBIT I
OFFER AND SUBMITTAL**

NOTE: PROPOSAL MUST BE SIGNED AND NOTARIZED BY AN AUTHORIZED REPRESENTATIVE(S) OF THE PROPOSER, WHICH MUST BE THE ACTUAL LEGAL ENTITY THAT WILL PERFORM THE CONTRACT IF AWARDED AND THE TOTAL FIXED PRICE CONTAINED THEREIN SHALL REMAIN FIRM FOR A PERIOD OF ONE-HUNDRED EIGHTY (180) DAYS.

"THE RESPONDENT WARRANTS THAT NO PERSON OR SELLING AGENCY HAS BEEN EMPLOYED OR RETAINED TO SOLICIT OR SECURE THIS CONTRACT UPON AN AGREEMENT OR UNDERSTANDING FOR A COMMISSION, PERCENTAGE, BROKERAGE, OR CONTINGENT FEE, EXCEPTING BONA FIDE EMPLOYEES. FOR BREACH OR VIOLATION OF THIS WARRANTY, THE CITY SHALL HAVE THE RIGHT TO ANNUL THIS AGREEMENT WITHOUT LIABILITY OR, AT ITS DISCRETION, TO DEDUCT FROM THE CONTRACT PRICES OR CONSIDERATION, OR OTHERWISE RECOVER THE FULL AMOUNT OF SUCH COMMISSION, PERCENTAGE, BROKERAGE OR CONTINGENT FEE."

Respectfully Submitted:

(Print or Type Name of Contractor – Full Company Name)

City of Houston Vendor No. (If already doing business with City):

Federal Identification Number:

By: _____
(Signature of Authorized Officer or Agent)

Printed Name: _____

Title: _____

Date: _____

Address of Contractor: _____
Street Address or P.O. Box

City – State – Zip Code

Telephone No. of Contractor: (____) _____

Signature, Name and title of Affiant: _____

(Notary Public in and for)

_____ County, Texas

My Commission Expires: _____ day of _____ 20_____

**EXHIBIT I
REFERENCES
LIST OF PREVIOUS CUSTOMERS**

1. Name: _____ Phone No.: _____
Address: _____
Contract Award Date: _____ Contract Completion Date: _____
Contract Name/Title: _____
Email: _____
System Description: _____

2. Name: _____ Phone No.: _____
Address: _____
Contract Award Date: _____ Contract Completion Date: _____
Contract Name/Title: _____
Email: _____
System Description: _____

3. Name: _____ Phone No.: _____
Address: _____
Contract Award Date: _____ Contract Completion Date: _____
Contract Name/Title: _____
Email: _____
System Description: _____

4. Name: _____ Phone No.: _____
Address: _____
Contract Award Date: _____ Contract Completion Date: _____
Contract Name/Title: _____
Email: _____
System Description: _____

**EXHIBIT II
ATTACHMENT "A"
SCHEDULE OF M/WBE PARTICIPATION**

DATE OF REPORT: _____

BID NO.: _____

FORMAL BID TITLE: _____

NAME OF MINORITY/WOMEN SUBCONTRACTOR	OFFICE OF BUSINESS OPPORTUNITY CERTIFICATION NO.	STREET ADDRESS AND CITY, STATE, ZIP CODE	TELEPHONE NO.	SCOPE OF WORK	AGREED PRICE
TOTAL.....					\$ _____
M/WBE PARTICIPATION AMOUNT.....					\$ _____ %
TOTAL BID AMOUNT.....					\$ _____

IF YOU HAVE USED YOUR BEST EFFORTS TO CARRY OUT THE CITY'S M/WBE POLICY BY SEEKING SUBCONTRACTS AND SUPPLY AGREEMENTS WITH MINORITY AND WOMEN BUSINESS ENTERPRISES, YET FAILED TO MEET THE STATED PERCENTAGE GOAL OF THIS BID DOCUMENT, LIST BELOW YOUR GOOD FAITH EFFORTS FOR COMPLIANCE (DEFINITION OF REQUIREMENTS CAN BE OBTAINED THROUGH THE OFFICE OF BUSINESS OPPORTUNITY AT (713) 837-9000).

THE UNDERSIGNED WILL ENTER INTO A FORMAL AGREEMENT WITH THE MINORITY AND/OR WOMEN SUBCONTRACTORS AND SUPPLIERS LISTED IN THIS SCHEDULE CONDITIONED UPON AWARD OF A CONTRACT FROM THE CITY.

NOTE:
ALL FIRMS LISTED ABOVE MUST BE CERTIFIED (OR ELIGIBLE FOR CERTIFICATION) BY THE OFFICE OF BUSINESS OPPORTUNITY.
THIS SCHEDULE OF M/WBE PARTICIPATION SHOULD BE RETURNED, IN DUPLICATE, WITH THE BID FORM.

BIDDER COMPANY NAME

SIGNATURE OF AUTHORIZED OFFICER OR AGENT OF BIDDER

NAME (TYPE OR PRINT)

TITLE

**EXHIBIT II
ATTACHMENT "B"
OFFICE OF BUSINESS OPPORTUNITY AND
CONTRACT COMPLIANCE M/WBE UTILIZATION REPORT**

NOTICE OF INTENT

THIS AGREEMENT IS SUBJECT TO MEDIATION AND CAN BE INITIATED BY THE COMPANIES SIGNED BELOW OR THE OFFICE OF BUSINESS OPPORTUNITY.

To: City of Houston
Administering Department

Date: _____

Project Name and Number _____

Bid Amount: _____ M/W/SBE Goal: _____

_____, agrees to enter into a contractual agreement with
Prime Contractor

_____, who will provide the following goods/services in connection
MWSBE Subcontractor

with the above-referenced contract:

_____ for an estimated amount of \$ _____ or _____ % of the total contract value.

_____ is currently certified with the City of Houston's Office of Business Opportunity to function in the aforementioned capacity.
(M/W/SBE Subcontractor)

_____ Intend to
Prime Contractor M/W/SBE Subcontractor

work on the above-named contract in accordance with the M/W/DBE Participation Section of the City of Houston Bid Provisions, contingent upon award of the contract to the aforementioned Prime Contractor.

Signed (Prime Contactor)

Signed (M/W/SBE Subcontractor)

Printed Signature

Printed Signature

Title Date

Title Date

**EXHIBIT II
ATTACHMENT "C"
CERTIFIED M/WBE SUBCONTRACT TERMS**

CITY OF HOUSTON CERTIFIED MWSBE SUBCONTRACT TERMS

Contractor shall ensure that all subcontracts with M/WSBE subcontractors and suppliers are clearly labeled **"THIS CONTRACT IS SUBJECT TO MEDIATION"** and contain the following terms:

1. _____(M/WSBE subcontractor) shall not delegate or subcontract more than 50% of the work under this subcontract to any other subcontractor or supplier without the express written consent of the City of Houston's Office of Business Opportunity Director ("the Director").
2. _____(M/WSBE subcontractor) shall permit representatives of the City of Houston, at all reasonable times, to perform 1) audits of the books and records of the subcontractor, and 2) inspections of all places where work is to be undertaken in connection with this subcontract. Subcontractor shall keep such books and records available for such purpose for at least four (4) years after the end of its performance under this subcontract. Nothing in this provision shall affect the time for bringing a cause of action or the applicable statute of limitations.
3. Within five (5) business days of execution of this subcontract, Contractor (prime contractor) and Subcontractor shall designate in writing to the Director an agent for receiving any notice required or permitted to be given pursuant to Chapter 15 of the Houston City Code of Ordinances, along with the street and mailing address and phone number of such agent.

These provisions apply to goal-oriented contracts. A goal-oriented contract means any contract for the supply of goods or non-professional services in excess of \$100,000.00 for which competitive proposals are required by law; not within the scope of the MBE/WBE/SBE program of the United States Environmental Protection Agency or the United States Department of Transportation; and which the City Chief Procurement Officer has determined to have significant MWSBE subcontracting potential in fields which there are an adequate number of known MBEs , WBE's, and or SBE's (if applicable) to compete for City contracts.

The MWSBE policy of the City of Houston will be discussed during the pre-proposal conference. For information, assistance, and/or to receive a copy of the City's Affirmative Action Policy and/or Ordinance, contact the Office of Business Opportunity Division at 832.393.0600, 611 Walker Street, 7th Floor, Houston, Texas 77002.

**EXHIBIT II
ATTACHMENT "D"
OFFICE OF BUSINESS OPPORTUNITY AND
CONTRACT COMPLIANCE M/WBE UTILIZATION REPORT**

Report Period: _____

PROJECT NAME & NUMBER: _____ **AWARD DATE:** _____

PRIME CONTRACTOR: _____ **CONTRACT NO.:** _____

ADDRESS: _____ **CONTRACT AMOUNT:** _____

LIAISON/PHONE NO.: _____ **M/WBE GOAL:** _____

M/WBE SUB/VENDOR NAME	DATE OF OBO CERTIFICATION	DATE OF SUBCONTRACT	SUBCONTRACT AMOUNT	% OF TOTAL CONTRACT	AMOUNT PAID TO DATE	% OF CONTRACT TO DATE
Use additional pages if needed. Submit by the 15th day of the following month. Provide support documentation on all revenues paid to end of the report period to: M/WBE's to reflect up/down variances on Contract amount.						
Office of Business Opportunity ATTN: Carlecia Wright 713-837-9000 611 Walker, 7 th Floor Houston, Texas 77002						

**EXHIBIT III
FAIR CAMPAIGN ORDINANCE**

The City of Houston Fair Campaign Ordinance makes it unlawful for a Contractor to offer any contribution to a candidate for City elective office (including elected officers and officers-elect). All respondents to this invitation to bid must comply with Houston Code of Ordinances Chapter 18 as amended relating to the contribution and solicitation of funds for election campaigns. Provisions of this ordinance are provided in part in the paragraphs that follow. Complete copies may be obtained from the office of the City Secretary.

Candidates for city office may neither solicit nor receive contributions except during a period commencing 270 calendar days prior to an election date for which a person is a candidate for such office and ending 90 calendar days after the election date, including run-off elections if such candidate is on the ballot.

Further, it shall be unlawful either for any person who submits a Bid or Proposal to contribute or offer any contribution to a candidate or for any candidate to solicit or accept any contribution from such person for a period commencing at the time of posting of the City Council Meeting Agenda including an item for the award of the Contract and ending upon the 30th day after the award of the Contract by City Council.

For the purposes of this Ordinance, a **Contract** is defined as each Contract having a value in excess of \$30,000 that is let by the City for professional services, personal services, or other goods or services of any other nature whether the Contract is awarded on a negotiated basis, request for Proposal basis, competitive Proposal basis or formal sealed competitive Bids. The term **Contractor** includes proprietors of proprietorships, partners having an equity interest of 10% or more of partnerships, (including limited liability partnerships and companies), all officers and directors of corporations (including limited liability corporations), and all holders of 10% or more of the outstanding shares of corporations.

A STATEMENT DISCLOSING THE NAMES AND BUSINESS ADDRESSES EACH OF THOSE PERSONS WILL BE REQUIRED TO BE SUBMITTED WITH EACH BID OR PROPOSAL FOR A CITY CONTRACT.

Completion of the attached form entitled "**Contractor Submission List**" will satisfy this requirement. Failure to provide this information may be just cause for rejection of your Bid or Proposal.

**EXHIBIT III
FORM "A": FAIR CAMPAIGN**

CITY OF HOUSTON FAIR CAMPAIGN ORDINANCE

The City of Houston Fair Campaign Ordinance makes it unlawful for a Contractor to offer any contribution to a candidate for City elective office (including elected officers-elect) during a certain period of time prior to and following the award of the Contract by the City Council. The term "Contractor" Includes proprietors of proprietorships, partners or joint venture's having an equity interest of 10 percent or more for the partnership or Joint venture, and officers, directors and holders of 10 percent or more of the outstanding shares of corporations. A statement disclosing the names and business addresses of each of those persons will be required to be submitted with each Bid or Proposal for a City Contract. See Chapter 18 of the Code of Ordinances, Houston, Texas, for further information.

This list is submitted under the Provisions of Section 18-36(b) of the Code of Ordinances, Houston, Texas, in connection with the attached Proposal, submission or bid of:

Firm or Company Name: _____

Firm or Company Address: _____

The firm/company is organized as a (Check one as applicable) and attach additional pages if needed to supply the required names and addresses:

SOLE PROPRIETORSHIP

Name _____	_____
Proprietor	Address

A PARTNERSHIP

List each partner having equity interest of 10% or more of partnership (if none state "none"):

Name _____	_____
Partner	Address

Name _____	_____
Partner	Address

A CORPORATION

List all directors of the corporation (if none state "none"):

Name _____	_____
Director	Address

Name _____	_____
Director	Address

Name _____	_____
Director	Address

List all officers of the corporation (if none state "none"):

Name _____
Officer Address

Name _____
Officer Address

Name _____
Officer Address

List all individuals owning 10% or more of outstanding shares of stock of the corporation (if none state "none"):

Name _____
Address

Name _____
Address

Name _____
Address

I certify that I am duly authorized to submit this list on behalf of the firm, that I am associated with the firm in the capacity noted below and that I have personal knowledge of the accuracy of the information provided herein.

Preparer

Printed Name

Title

Note: This list constitutes a **government record** as defined by § 37.01 of the Texas Penal Code.

8/23/01

**EXHIBIT IV:
CONTRACTOR OWNERSHIP DISCLOSURE ORDINANCE**

City Council requires knowledge of the identities of the owners of entities seeking to Contract with the City in order to review their indebtedness to the City prior to entering Contracts. Therefore, all respondents to this Invitation to Bid must comply with Houston Code of Ordinances Chapter 15, as amended (Sections 15-122 through 15-126) relating to the disclosure of owners of entities bidding on, proposing for or receiving City contracts. Provisions of this ordinance are provided in part in the paragraphs that follow. Complete copies may be obtained from the office of the City Secretary.

Contracting entity means a sole proprietorship, corporation, non-profit corporation, partnership, joint venture, limited liability company, or other entity that seeks to enter into a contract requiring approval by the Council but excluding governmental entities.

A contracting entity must submit at the time of its Bid or Proposal, an affidavit listing the full names and the business and residence addresses of all persons owning five percent or more of a contracting entity or, where a contracting entity is a non-profit corporation, the full names and the business and residence addresses of all officers of the non-profit corporation.

Completion of the **"Affidavit of Ownership or Control,"** included herein, and submitted with the Official Bid or Proposal Form will satisfy this requirement. Failure to provide this information may be just cause for rejection of your Bid or Proposal.

**EXHIBIT IV:
AFFIDAVIT OF OWNERSHIP OR CONTROL**

ORIG. DEPT.: _____

FILE/I.D. NO.: _____

INSTRUCTION: ENTITIES USING AN ASSUMED NAME SHOULD DISCLOSE SUCH FACT TO AVOID REJECTION OF THE AFFIDAVIT. THE FOLLOWING FORMAT IS RECOMMENDED: CORPORATE/LEGAL NAME DBA ASSUMED NAME.

STATE OF _____ §

§

AFFIDAVIT OF OWNERSHIP OR CONTROL

COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this day personally appeared

_____ [FULL NAME] (hereafter "Affiant"),

_____ [STATE TITLE/CAPACITY WITH CONTRACTING ENTITY] of

_____ [CONTRACTING ENTITY'S

CORPORATE/LEGAL NAME] ("Contracting Entity"), who being by me duly sworn on oath stated as follows:

1. Affiant is authorized to give this affidavit and has personal knowledge of the facts and matters herein stated.

2. Contracting Entity seeks to do business with the City in connection with _____ [DESCRIBE PROJECT OR MATTER] which is expected to be in an amount that exceeds \$50,000.

3. The following information is submitted in connection with the proposal, submission or bid of Contracting Entity in connection with the above described project or matter.

4. Contracting Entity is organized as a business entity as noted below (check box as applicable).

FOR PROFIT ENTITY:

NON-PROFIT ENTITY:

- SOLE PROPRIETORSHIP
- CORPORATION
- PARTNERSHIP
- LIMITED PARTNERSHIP
- JOINT VENTURE
- LIMITED LIABILITY COMPANY
- OTHER (Specify type in space below)

- NON-PROFIT CORPORATION
- UNINCORPORATED ASSOCIATION

5. The information shown below is true and correct for the Contracting Entity and all owners of 5% or more of the Contracting Entity and, where the Contracting Entity is a non-profit entity, the required information has been shown for each officer, *i.e.*, president, vice-president, secretary, treasurer, etc. **[NOTE: IN ALL CASES, USE FULL NAMES, LOCAL BUSINESS AND RESIDENCE ADDRESSES AND TELEPHONE NUMBERS. DO NOT USE POST OFFICE BOXES FOR ANY ADDRESS. INCLUSION OF E-MAIL ADDRESSES IS OPTIONAL, BUT RECOMMENDED. ATTACH ADDITIONAL SHEETS AS NEEDED.]**

Contracting Entity

Name: _____

Business Address **[NO./STREET]** _____

[CITY/STATE/ZIP CODE] _____

Telephone Number (_____) _____

Email Address **[OPTIONAL]** _____

Residence Address **[NO./STREET]** _____

[CITY/STATE/ZIP CODE] _____

Telephone Number (_____) _____

Email Address **[OPTIONAL]** _____

5% Owner(s) or More (IF NONE, STATE "NONE.")

Name: _____

Business Address **[NO./STREET]** _____

[CITY/STATE/ZIP CODE] _____

Telephone Number (_____) _____

Email Address **[OPTIONAL]** _____

Residence Address **[NO./STREET]** _____

[CITY/STATE/ZIP CODE] _____

Telephone Number (_____) _____

Email Address **[OPTIONAL]** _____

6. Optional Information

Contracting Entity and/or _____ [NAME OF OWNER OR NON-PROFIT OFFICER] is actively protesting, challenging or appealing the accuracy and/or amount of taxes levied against _____ [CONTRACTING ENTITY, OWNER OR NON-PROFIT OFFICER] as follows:

Name of Debtor: _____
Tax Account Nos. _____
Case or File Nos. _____
Attorney/Agent Name _____
Attorney/Agent Phone No. (_____) _____
Tax Years _____

Status of Appeal [DESCRIBE] _____

Affiant certifies that he or she is duly authorized to submit the above information on behalf of the Contracting Entity, that Affiant is associated with the Contracting Entity in the capacity noted above and has personal knowledge of the accuracy of the information provided herein, and that the information provided herein is true and correct to the best of Affiant's knowledge and belief.

Affiant

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 20____.

(Seal)

Notary Public _____

NOTE:
This affidavit constitutes a **government record** as defined by Section 37.01 of the Texas Penal Code. Submission of a false government record is punishable as provided in Section 37.10 of the Texas Penal Code. Attach additional pages if needed to supply the required names and addresses.

**EXHIBIT V
ANTI-COLLUSION STATEMENT**

Anti-Collusion Statement

The undersigned, as Proposer, certifies that the only person or parties interested in this Proposal as principals are those named herein; that the Proposer has not, either directly or indirectly entered into any Agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the award of this Contract.

Date

Proposer Signature

**EXHIBIT VI
CONFLICT OF INTEREST QUESTIONNAIRE**

CONFLICT OF INTEREST QUESTIONNAIRE:

Chapter 176.006 of the Local Government Code ("the code") requires a Vendor/Contractor to file a Conflict of Interest Questionnaire (CIQ) with the City.

NOTE: Vendors/Contractors or Agents should **not** complete the CIQ if a conflict, as described below, **does not exist. Only Vendors/Contractors or Agents that actually have a conflict, as described below, must file a CIQ.**

Who must file a CIQ?

A Vendor/Contractor or Agent of a Vendor/Contractor does not have to file a CIQ unless they intend to enter or is considering entering into a contract with the City or:

1. has an employment or other business relationship with the Local Government Officer/Family Member;
or
2. has given the Local Government Officer/Family Member one or more gifts with the aggregate value exceeding \$250.00.

When must the Vendor/Contractor or Agent file a CIQ?

The completed CIQ must be filed with the City Chief Procurement Officer not later than the 7th business day after the date the Vendor/Contractor or Agent:

1. begins discussions or negotiations to enter into a contract with the City;
2. submits an application to the City in response to a request for proposals or bids, correspondence, or any other writing related to a potential contract with the City;
3. becomes aware of an employment or other business relations with the Local Government Officer/Family Member;
4. becomes aware that he/she has given one or more gifts to the Local Government Officer/Family Member that exceeds \$250.00; or
5. an event that would make the CIQ incomplete or inaccurate.

What is a business relationship?

Under Chapter 176, business relationship means a connection between two or more parties based on the commercial activity of one of the parties. The term does not include:

1. a transaction that is subject to a rate or fee regulation by a governmental entity;
2. a transaction conducted at a price and subject to terms available to the public; or
3. a purchase or lease of goods or services from a person who is chartered by a state or federal agency and is subject to regular examination and reporting to that agency.

The Conflict of Interest Questionnaire is available for downloading from the Texas Ethics Commission's website at <http://www.ethics.state.tx.us/forms/CIQ.pdf>.

The Original Conflict of Interest Questionnaire shall be filed with the Administration and Regulatory Affairs Department's Record Administration (Lourdes Coss, City Chief Procurement Officer, 901 Bagby, Concourse Level, Houston, Texas 77002). Vendors and Contractors required to file shall include a copy of the form as part of the BID/Proposal package. **Any questions about filling out this form should be directed to your attorney.**

**EXHIBIT VI
CONFLICT OF INTEREST QUESTIONNAIRE**

CONFLICT OF INTEREST QUESTIONNAIRE		FORM CIQ
For vendor or other person doing business with local governmental entity		
<p>This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.</p> <p>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).</p> <p>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.</p> <p>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.</p>	OFFICE USE ONLY	
	Date Received	
1	Name of person who has a business relationship with local governmental entity.	
2	<input type="checkbox"/> 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 7th 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. <div style="text-align: center;">_____</div> 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? <input type="checkbox"/> Yes <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> No D. Describe each employment or business relationship with the local government officer named in this section.	
4	<div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 60%;"> _____ Signature of person doing business with the governmental entity </div> <div style="width: 30%;"> _____ Date </div> </div>	

Adopted 06/29/2007