



CITY OF HOUSTON

HOUSTON AIRPORT SYSTEM

REQUEST FOR QUALIFICATIONS (RFQ)

SOLICITATION NO.: H27-PMODB-2016-020

DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING

Date Issued: March 11, 2016

Pre-Submission Conference: March 24, 2016, 11:00 A.M., CST @
Houston Airport Marriott Hotel at IAH
18700 John F. Kennedy Blvd.
Houston, TX 77032

Questions Deadline: March 29, 2016 @ 12:00 Noon, CST

Solicitation Due Date: April 29, 2016 @ 10 A.M., CST

Solicitation Contact Person: Alfredo Oracion
Sr. Procurement Specialist, Supply Chain
Management
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281-230-8009

Project Summary: Design and construction of a new Program Management Office (PMO) Building during construction of the Mickey Leland International Terminal (MLIT) at George Bush Intercontinental Airport (IAH).

NIGP Code: 90625

MWBE Goal (Design & Professional Services): 30%

MBE Goal (Construction): 20%

WBE Goal (Construction): 8%

John J. Gillespie
Chief Procurement Officer

Date

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PART I – GENERAL INFORMATION

1.0 GENERAL INFORMATION

1.1 The City of Houston (City) invites interested firms to submit Statements of Qualifications (SOQ) in accordance with Texas Government Code Chapter 2269, Subchapter G, for Design-Build Services for the IAH Terminal Redevelopment Program (ITRP) Program Management Office (PMO) Building at George Bush Intercontinental Airport (IAH).

1.2 The City is soliciting qualifications and responses from Design-Build firms, teams, and/or joint ventures for the design and construction of the Program Management Office (PMO) Building here after referred to as the “Project”. The City is seeking a project team approach to design and construction with a focus and commitment to achieving design and construction excellence. The Design Build Contractor’s scope of work for the Project will be performed in two distinct phases under the Design-Build Agreement between the City and Design Build Contractor.

1.3 Design Criteria Package is provided as Attachment B in this solicitation.

2.0 PROGRAM BACKGROUND

2.1 The Houston Airport System (HAS) has identified a significant need for the development of additional facilities at George Bush Intercontinental Airport (IAH) to handle aircraft, passengers, and cargo departing to, and arriving from, domestic and international destinations on scheduled and chartered flights.

2.2 To support the airlines’ growth plans in Houston, HAS and airlines will complete a major capital improvement program, known as the IAH Terminal Redevelopment Program (ITRP) and hereinafter referred as the “Program”, that will include constructing a new 11-gate concourse (New Terminal C North currently under construction) undertaken by United Airlines (UA) and reconstructing and integrating the existing Terminal C North and Terminal D into a new single common-use international facility – the Mickey Leland International Terminal (MLIT). The Program will also include several enabling projects such as this PMO building to serve the newly constructed facilities as well as a new roadway system and airfield improvements.

2.3 Vision

2.3.1 Key to this Project’s success is to support the Houston Airport System’s Vision Statement to establish Houston as a five-star global air service gateway where the magic of flight is celebrated.

2.3.2 The Design Build Contractor shall embrace the following HAS core values in completing the design and the construction of this Project.

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Relationships	Service
<ul style="list-style-type: none"> ▪ We work together with integrity; treat every individual with courtesy and respect. 	<ul style="list-style-type: none"> ▪ We WOW our customers through a “can do” attitude and respond quickly to meet and exceed their expectations.
<ul style="list-style-type: none"> ▪ We honor our commitments and behave in a manner that earns trust. 	<ul style="list-style-type: none"> ▪ We find ways to bring fun and joy into our work and bring customers along for the ride.
<ul style="list-style-type: none"> ▪ We promote collaboration and teamwork across the organization. 	<ul style="list-style-type: none"> ▪ We respond promptly and effectively.
<ul style="list-style-type: none"> ▪ We are reliable and trustworthy; we honor our promises and commitments. 	<ul style="list-style-type: none"> ▪ We show respect, compassion, and let people know we care.
<ul style="list-style-type: none"> ▪ We are open, positive and constructive in our feedback. 	<ul style="list-style-type: none"> ▪ We willingly provide the necessary time and effort to meet the customer’s needs.
<ul style="list-style-type: none"> ▪ We treat people like they want to be treated. 	<ul style="list-style-type: none"> ▪ We are flexible and adaptive in a dynamically changing business environment.
<ul style="list-style-type: none"> ▪ We take responsibility for our actions. 	<ul style="list-style-type: none"> ▪ We display enthusiasm and passion for our work.
<ul style="list-style-type: none"> ▪ We lead by example. 	

Innovation	Excellence
<ul style="list-style-type: none"> ▪ We have the courage and willingness to consider new and unconventional ways of thinking. 	<ul style="list-style-type: none"> ▪ We strive for quality and skillful execution without compromise.
<ul style="list-style-type: none"> ▪ We assume responsibility for learning new things. 	<ul style="list-style-type: none"> ▪ We use the power of total employee involvement to achieve our organizational goals.
<ul style="list-style-type: none"> ▪ We embrace new ideas. 	<ul style="list-style-type: none"> ▪ We foster a culture of shared values that gets things done.
<ul style="list-style-type: none"> ▪ We listen with an open mind. 	<ul style="list-style-type: none"> ▪ We take calculated risks needed to achieve results.
<ul style="list-style-type: none"> ▪ We are future-focused; “I’ve always done it this way” does not exist in our vocabulary. 	<ul style="list-style-type: none"> ▪ We look for new and more effective ways to do business.
<ul style="list-style-type: none"> ▪ We recognize change as an opportunity. 	<ul style="list-style-type: none"> ▪ We encourage continuous improvement.

2.3.3 Objectives for Project delivery are as follows:

2.3.3.1 Quality: Deliver a project that exceeds the minimum performance specification outlined in the Design Criteria Package.

2.3.3.2 Cost: Obtain the most cost effective design and construction that will optimize the total cost of ownership for HAS.

2.3.3.3 Schedule: Achieve the scheduled completion dates for design, construction, and performance testing of the Project. Anticipate night work shifts during construction and other off-hour work schedules.

2.3.3.4 Public: Provide a safe and effective project that minimizes nuisance impacts to the public.

2.3.3.5 Traffic: Maintain existing traffic patterns at all times.

2.3.3.6 Risk: Effectively manage and achieve an optimal balance of risk allocation between HAS and the Design Build Contractor.

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- 2.3.3.7 Safety: Manage and implement an effective safety program incorporating industry best practices.
- 2.3.3.8 Accountability: Provide for a single point of accountability for performance of all services under the Design-Build Agreement.
- 2.3.3.9 Collaboration: Provide for coordinated design development, with the Design Build Contractor eliciting HAS input in a manner that preserves Design Build Contractor's sole responsibility for the achievement of Project performance objectives while meeting HAS objectives associated with cost, quality, aesthetics, and long-term operability.

3.0 SCHEDULE

- 3.1 The City may hold interviews for the benefit of clarifying response for the benefit of the Department's interest. Respondent shall be prepared to accommodate the schedule requirements throughout the procurement process so as not to unreasonably extend the length of the procurement process. Respondent may be required to provide additional information before the City selects response that best meets the RFQ requirements

4.0 SOLICITATION SCHEDULE

- 4.1 The following schedule has been established for this Solicitation process. The City reserves the right to modify the schedule during the Solicitation process. Changes/Updates will be posted on the SPD website (<http://purchasing.houstontx.gov>) and the HAS website (<http://www.fly2houston.com/>) via Letter(s) of Clarification.

EVENT	DATE
Date RFQ Published	03/11/16
Pre-Submission Conference	03/24/16
Questions from Respondents Due to City	03/29/16
Submission Due from Respondent	04/29/16
Notification of Shortlisted Firms	05/20/16
Submission of Additional Information	06/03/16
Oral Interview/Presentation	06/14/16
Negotiation (Estimated)	07/14/16
City Council Agenda Date (Estimated)	08/10/16
Contract Start (Estimated)	08/22/16

5.0 PROCUREMENT PROCESS OVERVIEW

5.1 Procurement Approach

- 5.1.1 This Request for Qualifications (RFQ) represents **Step One** of the procurement process and establishes the process for soliciting and evaluating Statements of

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Qualifications (SOQs) from those entities (Respondents) interested in serving as the Design Build Contractor.

- 5.1.2 The City will conduct a Pre-Submission Conference for this solicitation. Please refer to the procurement schedule for exact details of time and place. At the conference, the City will present an overview of the Project scope, including the procurement process, schedule, and required forms for the Project. Attendance is highly recommended.
- 5.1.3 The SOQs will be reviewed and evaluated in accordance with this RFQ to develop a Shortlist (maximum of 5) of Qualified Respondents deemed as the most qualified to execute the Design-Build Project on behalf of the City. Firms shortlisted will receive an invitation to proceed to Oral Interview/Presentation, **Step Two** of the process.
- 5.1.4 During **Step Two** of the procurement process the City will evaluate the shortlisted firms based on the established criteria (Section 11.4) for Oral Interview/Presentation.

5.2 **Contracting Approach**

5.2.1 The City plans to award the Design-Build Contract to the Respondent with the “Best Value” criteria defined herein utilizing the following Design-Build delivery method:

5.2.1.1 The Design-Build firm will perform services for this Project under a Two-Phase delivery method. The two phases consist of:

Phase 1 – Pre-Construction Services: This phase will commence shortly after award of the Contract upon issuance of a Phase 1 – Pre-Construction Notice to Proceed (NTP) by the City in accordance with the accepted PRICE PROPOSAL for Phase 1 Services. The culmination of Phase 1 will be negotiation of a Guaranteed Maximum Price (GMP) in accordance with the Scope of Work.

Phase 2 - Construction Services: The Phase 2- Construction NTP is constrained by the requirement to establish a Guaranteed Maximum Price (GMP) for the Project at 60% completion of Design. Therefore, Phase 2 will commence only upon issuance of a Phase 2 - Construction NTP by the City and will be completed in accordance with the Scope of Work.

5.2.2 The City reserves the right not to issue a Construction NTP for the Phase 2 portion of the work to the Design-Build firm and to pursue other procurement alternatives should the Design-Build Firm and the City not successfully establish an acceptable GMP at 60% completion of the Design.

5.2.3 If the City pursues such a course of action and does not issue the Phase 2 NTP to the Design-Build firm, and terminates the Contract with the Design Build Contractor and the builder receives notice, the contracts between the Design Build Contractor and designer and/or subcontractor shall be assigned to the City with no liability for any outstanding amounts due at the time of the assignment. The City, in its sole discretion, may accept the assignment of all, some, or none of the designer and/or subcontractors. The City will own all work products in electronic and physically formats developed in Phase 1 and 2. All Design work, drawings, and specifications will become the property of the City and shall be promptly turned over the City.

PART II – SCOPE OF WORK/GENERAL REQUIREMENTS

6.0 GENERAL REQUIREMENTS

6.1 The City of Houston will rely upon the contractor to verify that any prospective participating vendors and subcontractors are appropriately licensed, insured, and has arranged to work with a bonding company as well as financial institution; provide quality work; and meet all other requirements specified by the Agreement pursuant to procedures and policies of the City. The City reserves the right to add, delete, or modify any requirements at its discretion.

7.0 QUALIFICATIONS OF RESPONDENTS

7.1 Demonstrated Competence and Qualifications

7.1.1 All Respondents must propose qualified personnel and team members to accomplish the services required by the City as described herein. Design portions of the work must be executed by appropriately licensed Architects and Engineers. Professional service practitioners under this contract shall be licensed to practice in the State of Texas.

7.2 Performance and Payment Bonds

7.2.1 Respondents are on notice that, as provided in Chapter 2269 of the Texas Government Code, the Design Build Contractor will be required to provide performance and payment bonds on forms prescribed by the City no later than the 10th Calendar Day after the date the Design Build Contractor executes the Design-Build Agreement. The penal sums for the performance and payment bonds must be in an amount equal to the estimated Cost of the Work of \$12,800,000. Alternatively, Design Build Contractor may furnish other financial security acceptable to the Director of Houston Airport System (Director) to ensure that Design Build Contractor will furnish the required performance and payment bonds when a Guaranteed Maximum Price is established. When a Guaranteed Maximum Price is established, Design Build Contractor will be required to provide a revised performance and payment bond in the amount of the GMP, if the Guaranteed Maximum Price is greater than the construction budget.

7.3 Surety Letter of Intent

7.3.1 Respondent shall fill out Surety Letter of Intent form, Exhibit J.

7.4 Financial Capabilities

7.4.1 Respondent is required to submit in a separate, sealed envelope, clearly marked “Financial Statements”, one (1) stamped “Original” and one (1) copy of its Financial Statements with its Submittal.

7.4.1.1 Respondent must provide audited financial statements for the last two years, if they are available. If audited financial statements are not available, Respondent must provide tax returns and along with unaudited or reviewed financials for the last two years.

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- 7.4.1.2 Provide a brief statement of the Respondent's bonding ability to fulfill the obligations.
- 7.5 **Safety Records – EMR and OSHA**
- 7.5.1 Respondent is required to submit in a separate, sealed envelope, clearly marked "Safety Records", one (1) stamped "Original" and one (1) copy of its Safety Records with its Submittal as described below:
- 7.5.2 Respondent and if a Joint Venture, each member of the Joint Venture, must have an Experience Modification Ratio (EMR) at or below .95 for the previous 12 months (based on the RFQ issuance date). This information must be validated in a letter from the Respondent's insurance carrier. Respondent and if a Joint Venture, each member of the Joint Venture, shall provide an OSHA Form 300A Summary of Work – Related Injuries and Illnesses for all company activities in the past five (5) years.
- 7.5.3 Has the Respondent or any member of the Joint Venture received a citation from OSHA in excess of serious (i.e., willful) within the previous five (5) years? If yes, provide details.
- 7.6 **Joint Ventures or Partnerships**
- 7.6.1 If the Respondent is a joint venture or partnership, the Respondent must submit with its SOQ a copy of the partnership or joint venture or current teaming agreement. The agreement must describe the scope and amount of work each participant will perform and contain a provision that each participant will be jointly and severally liable to the City for completing all of the work and to third parties for all duties, obligations and liabilities which arise out of the joint venture's performance of the work. See required forms described in Section 17.0.
- 7.6.2 Each firm of the joint venture or partnership must respond to all elements of the required forms described in Section 17.0 separately. The firms must each submit a complete set to the City at the time the responses are due.
- 7.6.3 Only one firm of the joint venture or partnership needs to meet or exceed each of the SOQ Experience Requirements in order to be further evaluated as a Respondent.
- 7.7 **Prohibitions**
- 7.7.1 Prime Respondent Prohibitions
- Firms, joint ventures or teams who are performing work or have performed work as a Prime Contractor/Prime Consultant for the City on the planning, environmental, design, engineering, program oversight or program management of this Program (listed in Attachment D) are prohibited from participating on this Project.
- 7.7.2 Prohibition Questions
- Should you have any questions regarding the applicability of these prohibitions to your firm, potential team, potential joint venture, potential subcontractors or potential sub consultants, please direct a very specific question to:
- Attention: Alfredo Oracion, Senior Procurement Specialist
Subject: "PROHIBITION QUESTION – PMO BUILDING"
Email address: alfredo.oracion@houstontx.gov.
- 7.7.3 Any Respondents who submit a SOQ that involves prohibited firms, joint ventures, or teams will be rejected as non-responsive regardless of whether that Respondent

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sought prohibition clarification or not. Respondent's failure to submit a specific prohibition question is not an excuse. City is the sole judge of which firms are prohibited from proposing on this Project.

7.8 Respondent References

7.8.1 The Respondent shall provide client references that include the client names, addresses, telephone numbers, and email addresses as described in Exhibit M. City will contact the referenced clients to verify Respondent provided information and/or to solicit comments.

7.8.2 References must be people that were directly involved in the previous projects listed and who have first-hand knowledge of the performance of the Respondent and its proposed staff/team.

7.8.3 Any information stated in the response found and determined by the City to be a misrepresentation of a Respondent's past experiences may be considered as grounds for disqualification of the response and Respondent may be banned from participation in future RFQ's from the City.

7.8.4 Submission of qualifications indicates Respondent's acceptance of the evaluation techniques and the recognition that subjective judgments must be made by the City, their respective representatives, advisors, representatives, and attorneys ("Investigating Parties") during the evaluation process. Each Respondent, by submission of its response, acknowledges and understands that the Investigating Parties will perform investigations into the Respondent's past performance, character, financial capacity, and experience and agrees that submission of a response acts to waive and release any and all of the Respondent's claims against the Investigating Parties in relation to such investigations and, further, that submission of a response acts as an authorization by the Respondent for the Investigating Parties to request and obtain information concerning the respective Respondent and as authorization for any party to whom the Investigating Parties directs an inquiry, to release the information so requested.

8.0 OTHER INFORMATION

8.1 Validity Period

8.1.1 All submissions under this RFQ must be valid for a period of one-hundred and eighty (180) consecutive calendar days from the date of receipt by the City.

8.2 Only One Submission Accepted

8.2.1 City will accept only one submission for this solicitation from any one Respondent. This includes submissions received under different names by one firm, corporation, partnership, or joint venture. Evidence of collusion among Respondents shall be grounds for exclusion of any Respondent who is a participant in any such collusion. Optional offers submitted in addition to conforming submissions will not be reviewed. A firm may not participate in more than one joint venture or participate as a prime contractor on more than one team who is submitting a response to this RFQ.

8.3 Authorized Signatures

8.3.1 When signing the Response, each party signing must:

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8.3.1.1 State that the facts represented in the submission are true and correct; and

8.3.1.2 The Signer has authority to sign on behalf of the contracting entity.

8.4 Information Requested And Not Furnished

8.4.1 The information requested and the manner of submission is essential to permit prompt evaluation of all Responses. Accordingly, City reserves the right to declare as non-responsive and reject any Responses in which information is requested and is not furnished (within the City's time limits) or when a direct or complete answer is not provided.

8.5 Designation Of Independent Engineer

8.5.1 Pursuant to Chapter 2269 of the Texas Government Code, an independent Engineer is hereby designated to act for the duration of the Project. The designated City Engineer for this Project is: Devon Tiner, P.E.

8.6 Stipend For Unsuccessful Respondents

8.6.1 The Stipend is zero dollars.

8.7 Response Errors

8.7.1 Omissions and Errors

Respondent is liable for all errors or omissions incurred by Respondent in preparing the Response. Respondent will not be allowed to alter response documents after the due date for submission unless a request is made in writing which thoroughly describes the circumstances and which is approved by the City in writing. Nothing herein shall be construed to entitle Respondent to alter Response documents except as required by law.

8.7.2 Corrections after Submission

City reserves the right to make corrections or amendments due to errors identified in the Response by the City or the Respondent. This type of correction or amendment will only be allowed for errors as typing and transposition. All changes must be coordinated in writing with, and authorized by the City.

8.7.3 Incorrect Response Information

If the City determines that a Respondent has provided incorrect information for consideration in the evaluation process, which the Respondent knew or should have known was materially incorrect, that Response may be deemed non-responsive and the Response may be rejected or may be accepted in City's sole discretion.

8.7.4 Prohibition of Alternate Terms and Conditions

Respondent shall not submit its own Contract terms and conditions in Response to this RFQ. If a Response contains supplemental terms and conditions, the City, at its sole discretion, may determine the Response to be a non-responsive counter offer, and the Response may be rejected.

8.7.5 Waiver of Minor Administrative Irregularities

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City reserves the right, at its sole discretion, to waive minor administrative irregularities contained in any Response submitted for this solicitation.

8.7.6 Withdrawal of Responses

Respondent may withdraw its submitted response at any time prior to the specified response due date and time. Withdrawals of the response must be by written request. After withdrawing a previously submitted response, the Respondent may submit another response at any time up to the specified response due date and time.

PART III – EVALUATION, SCORING AND SELECTION PROCESS

9.0 **RFQ SCORING PROCESS**

9.1 Evaluation committee members shall review the Evaluation Committee Guidelines and sign Nondisclosure Agreements before receipt of proposals or submissions.

9.2 The team leader shall review all submittals to determine if they are responsive and that the respondent is responsible. If the team leader believes any of the submittals are not responsive or responsible, he or she shall consult with the Chief Procurement Officer. Any nonresponsive or non-responsible submittals shall be withheld from the evaluation committee by the team leader. The team leader shall distribute the submittals to evaluation committee members along with a scoring matrix for the procurement. Each committee member shall be assigned a letter or a number to use for the scoring form; individual names will not be attributed to the individual scoring forms. Each evaluation committee member shall independently review the submission and score each criteria (sub-criterion) against the total number of points allocated for that criteria. Only evaluation committee members shall have voting rights; observers shall not vote.

9.3 At the evaluation committee meeting, the committee will discuss their scores and the reasons for their scores, noting strength and weakness of each submittal. **Each submittal will be evaluated on its own merits, not compared to others.** Committee members may revise their scores—up or down—based on observations made by other members or observers.

9.4 If oral interviews are held, the expectation is that the firms will explain to the evaluation committee why their team is the best qualified for the Project. In preparation for the interview session, the short-listed firms will be provided, in advance, with a list of questions that will be asked of all short-listed firms. In addition to the standard questions, individual committee members may ask questions specific to a particular submission. If oral interviews are held, the committee members shall convene and discuss their impressions immediately following each interview, if possible. If the discussion must occur later, it should occur as soon as practicable thereafter. The discussion shall focus on strengths, weakness, and any new observations the committee may have on the particular vendor as applied to the criteria set forth in the solicitation. After discussion, the committee members shall update their scores for each criterion and record their updated scores on the scoring matrix (even if any member does not change the score on any criteria, he or she shall enter the final score on the matrix) based on the firms explanation regarding its qualification for the Project and responses to interview questions (both standard questions and questions specific to the submission/proposal, if any). The team leader shall collect the scoring matrices.

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- 9.5 After all scores have been updated, the submittals shall be ranked in order of the scores from greatest to least. Further clarifications may be requested from one or more of the top firms, if the committee so decides.
- 9.6 The team leader shall document the rationale for the committee's recommendation. The summary of the process shall be circulated to all committee members for their input and ultimate approval.
- 9.7 No later than the 7th day after the date of the contract is awarded, the City shall make the rankings public.

10.0 **STEP ONE: REQUEST FOR QUALIFICATIONS**

10.1 **Overview**

Step one of the Response shall consist of the SOQ with the required forms described below.

10.2 **City Required Forms**

- 10.2.1 The Respondent shall complete all the City required forms enclosed herein as Section 17.0 - and shall initial any and all alterations or erasures in its submissions. The Respondent shall not delete, modify, or supplement the printed matter on the City required forms, or make substitutions thereon.

10.3 **City Required Forms Format**

- 10.3.1 Contents of Envelope #1 will include one (1) original and one (1) copy of the City required forms described in Section 18.0, as well as an electronic PDF copy on a non-returnable USB drive affixed to the original.
- 10.3.2 The hard copies shall be bound using 8½" by 11" pages with no staples.
- 10.3.3 The Respondent shall ensure that each page of its response is identified with the Project name and Respondent's name and page number.

10.4 **City Required Forms Review**

- 10.4.1 The City required forms will be reviewed for compliance. The Respondent's failure to comply with the instructions or to submit a complete Response may result in the response being deemed non-responsive.

10.5 **Statement Of Qualifications Format And Content**

- 10.5.1 Contents of Envelope #2 will include one (1) original of Statement of Qualifications (SOQ) signed in blue ink and ten (10) hard copies, as well as an electronic PDF version of the same on ten (10) non-returnable USB drives affixed for the original. Original to be marked as "**Original**" and copies to be marked as "**copy 1 of X**" etc.
- 10.5.2 Each copy of the SOQ shall be bound using GBC or other semi-permanent binding method, to ensure that pages are not lost. Pages shall be no larger than letter-size (8½" by 11") or folded to that dimension, twice letter size (11"x17"). Each section

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(defined below) shall be separated by a tabbed divider. Elaborate covers, binders, dividers, etc. are not required. Document text should be in ARIAL 10 or New Times Roman 12 point font, but must be consistent throughout the document. Each RFQ response shall be organized in the following order:

Step 1: RFQ Content
Cover Letter / Transmittal Letter / Introduction and Executive Summary
Project Approach
Firm(s) Qualifications
Project Team Qualifications
Pre-Construction and Construction Phase Services
Management and Staffing Plan
Project Controls
Financial Capabilities
Safety Record (Experience Modification Ratio)
OSHA Citations

- 10.5.3 The Respondent shall ensure that each page of its response is identified with the Project name and Respondent's name and page number.
- 10.5.4 Responses shall include tabbed section indicators and tab pages shall not include any content, graphic or text other than header of the section.
- 10.5.4.1 SOQ responses which contain unnecessarily elaborate art work, marketing brochures or expensive paper and/or bindings are highly discouraged.
- 10.5.4.2 All forms provided in this RFQ shall use the exact format provided.
- 10.5.4.3 All Responses must be submitted in accordance with this RFQ. Responses shall be in writing and Respondents shall complete and return all applicable documents. If the Response does not conform to the City's requirements, the Response may be deemed non-responsive and therefore, not be considered for further evaluation. The contents of the Response shall be complete in description and concise in volume. Any supplementary artwork, visual aids, films, and other extraneous materials will not be accepted unless it specifically addresses the requirements for approach and/or information.
- 10.5.5 Submittals shall be delivered to the address below not later than 10:00 A.M., CST, Friday, April 29, 2016 to:
 Strategic Procurement Division
 901 Bagby, Suite B300
 Houston, Texas 77002
 Attention: Chief Procurement Officer
- 10.5.6 City reserves the right to extend the due date for this Request for Qualification as deemed necessary and in its best interests. Any postponement of the due date will be issued as a Letter of Clarification (LOC) to this RFQ. The submission of a SOQ

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does not in any way commit the City to enter into an agreement with that Respondent or any other Respondent.

10.5.7 City reserves the right to cancel this RFQ, accept or reject, in whole or in part any all or SOQs received in the best interest of the City.

10.6 **Step One - Statement Of Qualifications Evaluation**

10.6.1 **Selection Process:**

10.6.1.1 Based on the number and quality of submittals to this RFQ, the evaluation committee may form a short list of firms, up to five firms, whose submittals provide the most desirable methods for providing the services. In developing the short-list, the committee will consider, among other things, the criteria described in Section 10.7. Respondents will be evaluated with the scoring criteria established below:

Step 1: RFQ Content	Weights
Similar Project Experience	15 points
Project Approach	15 points
Firm(s) Qualifications	15 points
Project Team Qualifications	20 points
Design and Pre-Construction and Construction Phase Services	10 points
Management and Staffing Plan	15 points
Project Controls	10 points
TOTAL SCORE	100 Points
Financial Capabilities	Pass/Fail
Safety Record (Experience Modification Ratio)	Pass/Fail
OSHA Citations	Pass/Fail

10.6.1.2 The shortlisted firms will be notified in writing that they made it to the 2nd step of the selection process where they will be asked for additional information and invited for an interview and oral presentation.

10.7 **Statement of Qualifications Response Scoring Criteria**

10.7.1 **Similar Project Experience – 15 Points**

10.7.1.1 Must have experience as Prime or JV Partner providing similar office type or light industrial project under a Design-Build Contract, or other delivery method, that is in progress or completed in the last 5 years. Provide references from the owner. Provide no more than five (5) example projects.

10.7.1.2 For the representative project, provide the following information:

- a) Project Name.
- b) General description of the project and the delivery method.
- c) Firm’s primary role in the project.

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- d) Construction start and completion dates. (As originally scheduled and as-built).
- e) Location.
- f) Square footage size.
- g) Construction method/type.
- h) Contract value or value of work performed.
- i) Provide at least one exterior and one interior photo as part of the write up of the project.
- j) Provide an owner letter of reference for the project with contact information for reference.

10.7.2 Project Approach – 15 Points

- 10.7.2.1 Outline your management tools, strategies, and methodologies that will enable delivery of the Project.
- 10.7.2.2 Provide your methodology for the procurement of any long-lead items.
- 10.7.2.3 Describe your team relationships or JV for the design and construction elements.
- 10.7.2.4 Describe your experience in providing sustainable and energy efficient solutions to projects.
- 10.7.2.5 Describe your approach to project communication.
- 10.7.2.6 Describe your approach to implement a Health and Safety and Environment (HSE) or similar, culture among the workforce. As an attachment, provide a copy of the table of contents only from the prime firms HSE, plan or policy, or similar, manual.
- 10.7.2.7 Describe Respondent's quality assurance program. Explain methods used to ensure quality control during the design and construction phases of the Project. As an attachment, provide a copy of the table of contents only from the prime firms QA/QC plan or policy, or similar, manual.
- 10.7.2.8 Describe how Respondent's quality control team will measure the quality of construction performed by subcontractors and how non-conforming work will be addressed during construction.
- 10.7.2.9 Describe your approach to conflict and dispute resolution and the management of contractual conflicts.

10.7.3 Firm (s) Qualifications – 15 Points

- 10.7.3.1 Explain your organization structure and why it has the necessary expertise and resources to execute a project of this scope:
 - a) Detail years in business, past awards, and other pertinent information about your firm, JV, or significant key sub consultants/contractors.
 - b) If a JV, further explain why your firms decided to partner and the value the partnership will bring to the City.
- 10.7.3.2 For any Key JV partner or significant sub-contractor, provide your previous relationship history of working together.
- 10.7.3.3 What is the strength each sub consultant and contractor brings to this relationship?

10.7.4 Project Team Qualifications – 20 Points

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Each Respondent shall submit:

- 10.7.4.1 The Key Personnel on the proposed team who will work on this Project. Key Personnel shall include at the minimum: Project Lead, Project Design Lead, Project Controls Lead, Superintendent, and Safety Lead.
- 10.7.4.2 A description for each Key Personnel position during Pre-Construction and Construction Phases of the Project.
- 10.7.4.3 Provide a written assurance that the Key Personnel listed will be performing the work and will not be substituted with other personnel or reassigned to another project without the City's prior written approval.
- 10.7.4.4 Provide a brief resume or curriculum vitae for each Key Personnel demonstrating their qualifications and experience. Resumes shall include the following:
1. Name, Role
 2. Firm
 3. No. of years with current firm
 4. Total years' experience
 5. Education, professional licensing
 6. Experience in their respective areas of expertise
 7. Relevant work experience for previous ten (10) years.
- 10.7.5 **Pre-construction/ Construction Services – 10 Points**
- 10.7.5.1 Describe Respondent's concepts for working in a team relationship as a Design Build Contractor and how this works for the benefit of the Project.
- 10.7.5.2 Describe how the Respondent's involvement in design phase will complete the design to 100% with regard to safety, cost, schedule, quality, and constructability.
- 10.7.5.3 Provide a high level schedule for this Project.
- 10.7.5.4 Describe Respondent's perception of critical design and construction issues for this Project and strategy for mitigating risks.
- 10.7.5.5 Describe Respondent's ability and plan to self-perform work on this Project.
- 10.7.5.6 Describe the Respondent's commissioning experience. Include your approach to system testing, activation/training, and commissioning.
- 10.7.5.7 Describe your approach to Project Closeout. Include process for completing the record drawings and specifications, operations and maintenance documents, and the turnover of all documentation in a Design-Build Project environment.
- 10.7.6 **Management and Staffing Plan – 15 Points**
- 10.7.6.1 Describe the organization of the Respondent's team – provide an organization chart for Pre-Construction Services and Construction Services.
- 10.7.6.2 Provide a management and staffing plan in a table format that lists all Project tasks and proposed team member names to each project task and their level of responsibility for each task during each Project phase.
- 10.7.6.3 Describe your plan for transitioning between Pre-Construction and Construction Phase services in terms of management continuity and roles and responsibilities of Key Personnel.
- 10.7.7 **Project Controls – 10 Points**

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- 10.7.7.1 Describe Respondent's computer applications and software, to be used for project management on this Project.
- 10.7.7.2 Describe how Respondent will develop, maintain, and update the Project schedule during each Phase.
- 10.7.7.3 Describe Respondent's approach to assuring timely completion of this Project, including methods for performance measurement and float creation and schedule recovery, if necessary.
- 10.7.7.4 Describe detailed construction cost estimating methods to reaching the 60% GMP.
- 10.7.7.5 Describe how innovative work practices, innovative use of technologies, and innovative techniques or cost reduction strategies could benefit the City.
- 10.7.7.6 Describe cost tracking and control methods during construction. Describe how your Project Controls Systems will be able to supply information to the City in the WBS identified by the City.
- 10.7.7.7 City intends to accept a Guaranteed Maximum Price (GMP) based on 60% completion of the Design. Describe Respondent's process for ensuring that the design documents provide the information necessary to arrive at a complete GMP, including all City requirements with reasonable contingencies.

10.8 Request For Qualifications Delivery Instructions

The response packages shall be submitted in two (2) separate envelopes/boxes **clearly** identified and addressed as follows:

ENVELOPE #1 - CITY REQUIRED FORMS

RESPONDENT NAME _____
CONTACT NAME _____
CONTACT EMAIL _____
CONTACT PHONE NUMBER _____
RFQ CITY REQUIRED FORMS

STRATEGIC PROCUREMENT DIVISION RFQ- PMO BUILDING PROJECT SOLICITATION NO. H27-PMODB-2016-020 Attention: John J. Gillespie Chief Procurement Officer 901 Bagby, Suite B300 Houston, Texas 77002
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ENVELOPE #2 – STATEMENT OF QUALIFICATIONS

RESPONDENT NAME _____ CONTACT NAME _____ CONTACT EMAIL _____ CONTACT PHONE NUMBER _____ RFQ STATEMENT OF QUALIFICATIONS

STRATEGIC PROCUREMENT DIVISION RFQ- PMO BUILDING PROJECT SOLICITATION NO. H27-PMODB-2016-020 Attention: John J. Gillespie Chief Procurement Officer 901 Bagby, Suite B300 Houston, Texas 77002
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11.0 **ADDITIONAL INFORMATION, INTERVIEW AND ORAL PRESENTATION - STEP TWO**

STEP TWO: ADDITIONAL INFORMATION, INTERVIEW AND ORAL PRESENTATION WILL ONLY BE REQUIRED OF SHORTLISTED RESPONDENTS AS REQUESTED BY THE CITY

11.1 **Overview**

Respondent will receive notification from the City that they have been shortlisted and is invited to an interview and oral presentation and submit additional information. The interview/oral presentation and additional information will be evaluated based on the evaluation criteria described in Section 11.4.

11.2 **Additional Information**

11.2.1 Prior to the Interview and Oral Presentation, the Respondent shall submit the ADDITIONAL INFORMATION using the format described herein. Respondent shall present any attributes that the Respondent believes are unique to its team, making them especially qualified to perform the services for the City. The ADDITIONAL INFORMATION must address the following:

- Addendum (Letter of Clarification) Acknowledgement Letter
- Project Approach
- Anticipated Problems
- Proposed Solutions to Anticipated Problems
- Ability to Meet Schedules
- Conceptual Engineering Design/ Comments on Design Criteria Package
- Costing Methodology
- MWBE Compliance

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- Exceptions to Standard Contract

11.2.2 All Responses must be submitted prior to Oral Presentation and Interview. Responses shall be in writing and Respondents shall complete and return all applicable documents. If the response does not conform to City’s requirements, the response may be deemed non-responsive and therefore, not be considered for further evaluation. The contents of the response shall be complete in description and concise in volume. The response shall be in the format of a written report. Any supplementary artwork, visual aids, films, and other extraneous materials will not be accepted unless it specifically addresses the requirements for approach and/or information.

11.2.3 Division 01 Documents will be provided to firms shortlisted.

11.3 Additional Information Format

11.3.1 Contents will include one (1) original of the ADDENDUM ACKNOWLEDGEMENT LETTER and ADDITIONAL INFORMATION listed in Section 11.2.1, signed in blue ink and ten (10) hard copies, as well as an electronic PDF version of the same on a non-returnable USB drive affixed for the original. Original to be marked as “Original” and copies to be marked as “copy 1 of X” etc.

11.3.2 All copies of ADDITIONAL INFORMATION shall be bound using 8½” by 11” (single-sided) pages with no staples, divided by tabs for the following sections.

Step 2: Additional Information Content
Project Approach
Anticipated Problems
Proposed Solutions To Anticipated Problems
Ability To Meet Schedules
Conceptual Engineering Design/ Comments on Design Criteria Package
Costing Methodology
MWBE Compliance
Exceptions to Standard Contract

11.3.3 The Respondent shall ensure that each page of its response is identified with the Project Name, Respondent’s name, and page number.

11.3.4 Responses shall be prepared on 8 ½” x 11” paper, bound on the long side. 11” x 17” fold-out sheets may be included and counted as one page but are limited to graphic or photo images and shall not be used for excessive text to circumvent the page limitations.

11.3.5 Responses shall use 11 point font in Arial but none smaller, excluding captions for graphics.

11.3.6 Responses shall include tabbed section indicators and tab pages shall not include any content, graphic or text other than header of the section and will not be counted in the page count.

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- 11.3.7 All text shall be clear of binding edge margin.
- 11.3.8 The Respondent’s ADDITIONAL INFORMATION shall not exceed 5 pages single sided. This page limit does not include:
 - 11.3.8.1 Covers, Tabs, Letters, Addendum Acknowledgment or disclosure of legal and administrative proceedings and financial condition, and City of Houston required forms.
 - 11.3.8.2 ADDITIONAL INFORMATION which contain unnecessarily elaborate art work, marketing brochures or expensive paper and/or bindings are highly discouraged.
 - 11.3.8.3 All forms provided shall use the exact format provided.

11.4 Interview/Oral Presentation and Additional Information Evaluation Criteria

The short listed firms will be evaluated on the following scoring criteria for the Additional Information and Oral interview/Presentation. The Respondent shall submit the ADDITIONAL INFORMATION using the format described herein. Respondent shall present any attributes that the Respondent believes are unique to its team, making them especially qualified to perform the services for the City. Step 2 Evaluation Criteria is listed below.

Step 2: Evaluation Criteria	Weights
Project Approach	30
Anticipated Problems	10
Proposed Solutions To Anticipated Problems	30
Ability To Meet Schedules	20
Conceptual Engineering Design/ Comments on Design Criteria Package	10
Cost Methodology	20
TOTAL SCORE	120 Points
MWBE COMPLIANCE	PASS/FAIL

11.4.1 Project Approach – 30 Points

- 11.4.1.1 Describe Respondent’s strategy to manage the Design-Build Process up to Phase 1 Pre-Construction Milestone as defined in the Scope of Services
- 11.4.1.2 Describe how Respondent will execute its work plan based on the Phase 2 Construction Milestones defined in the Scope Services.

11.4.2 Anticipated Problems - 10 Points

- 11.4.2.1 Based upon the Design Criteria Package, list the anticipated problems and issues the Respondent foresees in Phase 1 Pre-Construction and Phase 2- Construction.

11.4.3 Proposed Solutions – 30 Points

- 11.4.3.1 Provide proposed solutions to the problems identified in 10.4.2.1.

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11.4.4 Ability to meet Schedules – 20 Points

11.4.4.1 Describe Respondent's approach in managing its Designer and sub-consultants to ensure Phase 1 Pre-Construction and Phase 2- Construction milestones are met.

11.4.4.2 Describe Respondent's means and methods that will be utilized to meet the Phase 2 Construction Milestone defined in the Scope of Services.

11.4.5 Conceptual Engineering Design – 10 Points

11.4.5.1 Given that the Respondent is receiving a Design Criteria Package, explain your process in completing the design. Describe any gaps or other issues that can prevent the Project from its intended functionality and use.

11.4.6 Cost Methodology – 20 Points

11.4.6.1 Respondents shall provide cost methodology that includes, the Design-Build team's policy on retainage, policy on contingencies, discount for prompt payment, range of costs based on working conditions, and expected staffing for administrative duties.

11.4.6.2 Pricing data and GMP will be requested during the negotiation with the highest ranked firm.

11.4.7 MWBE Compliance – Pass/Fail

11.4.7.1 Provide the necessary requirements described in Section 14.4 of this solicitation and the goal set forth in Section 14.5.

11.4.7.2 The Respondent may be considered non-responsive if they fail to meet the MWBE requirements.

11.4.8 Respondents will be notified in writing of the date/time and location of their presentation if they have been chosen for further consideration.

11.4.9 After the oral presentations/interviews (if required) are completed, final scores will be established by the evaluation committee.

11.4.10 The City will begin contract negotiations with the highest ranked Respondent(s) based upon the sample contract form attached to this RFQ. If negotiations result in agreement, the proposed contract will be submitted to the City Council for approval.

11.4.11 The City reserves the right to request clarifying information from and ask additional questions of any individual respondent at any time during the evaluation process. The City also reserves the right to contact any references provided by the Respondent within its Response.

11.5 Additional Information Delivery Instructions

The response packages shall be submitted in envelope/box **clearly** identified and addressed as follows:

**DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
RFQ NO.: H27-PMODB-2016-020**

RESPONDENT NAME _____ CONTACT NAME _____ CONTACT EMAIL _____ CONTACT PHONE NUMBER _____ RFP TECHNICAL PROPOSAL
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STRATEGIC PROCUREMENT DIVISION RFQ- PMO BUILDING PROJECT SOLICITATION NO. H27-PMODB-2016-020 Attention: John J. Gillespie Chief Procurement Officer 901 Bagby, Suite B300 Houston, Texas 77002
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PART IV – SUBMISSION OF RESPONSES

12.0 INSTRUCTION FOR SUBMISSIONS

12.1 **Time for Submission.** Submissions shall be submitted no later than the date and time indicated for submission in this RFQ. Late submittals will not be considered and will be returned unopened.

12.2 **Format.** Submission should be left-bound. 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.

12.3 **Complete Submission.** Respondents are advised to carefully review all the requirements and submit all documents and information as indicated in this RFQ. Incomplete submissions may lead to a submission being deemed non responsive. Non-responsive submissions will not be considered.

12.4 **Timely Delivery of Submissions.** The submittal must be delivered by hand or sent to the City of Houston, Strategic Procurement Division through U.S. Mail or other available courier services to the address shown on the cover sheet of this RFQ. Include the RFQ number on any package delivered or sent to the Strategic Procurement Division and on any correspondence related to the submittal. 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.

12.5 **Late Submissions.** The respondent remains responsible for ensuring that its submission is received at the time, date, place, and office specified. The City assumes no responsibility for any submission 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.

PART V – GENERAL TERMS AND SPECIAL CONDITIONS

13.0 **GENERAL TERMS**

13.1 **Contractor Performance Language**

13.1.1 Design Build Contractor should make citizen satisfaction a priority in providing services under this contract. Design Build Contractor's employees should be trained to be customer-service oriented and to positively and politely interact with citizens when performing contract services. Design Build Contractor's employees should be clean, courteous, efficient and neat in appearance at all times and committed to offering the highest degree of service to the public. If, in the Director's determination, the Design Build Contractor is not interacting in a positive and polite manner with citizens, the Design Build Contractor shall take all remedial steps to conform to the standards set by this contract and is subject to termination for breach of contract.

13.2 **INTENTIONALLY OMITTED**

13.3 **INTERPRETING SPECIFICATIONS**

13.3.1 The specifications and product references contained herein are intended to be descriptive rather than restrictive. City is soliciting Statements of Qualifications to provide a complete product and service package, which meets its overall requirements. Specific equipment and system references may be included in this RFQ for guidance, but they are not intended to preclude Respondent(s) from recommending alternative solutions offering comparable or better performance or value to the City.

13.3.2 Changes in the specifications, terms and conditions of this RFQ will be made in writing by the City prior to the SOQ due date. Results of informal meetings or discussions between a potential Respondent(s) and a City official or employee may not be used as a basis for deviations from the requirements contained in this RFQ.

13.4 **CONTRACTOR DEBT**

13.4.1 IF DESIGN BUILD CONTRACTOR, AT ANY TIME DURING THE TERM OF THIS AGREEMENT, INCURS A DEBT, AS THE WORD IS DEFINED IN SECTION 15-122 OF THE HOUSTON CITY CODE OF ORDINANCES, IT SHALL IMMEDIATELY NOTIFY THE CITY CONTROLLER IN WRITING. IF THE CITY CONTROLLER BECOMES AWARE THAT DESIGN BUILD CONTRACTOR HAS INCURRED A DEBT, HE SHALL IMMEDIATELY NOTIFY CONTRACTOR IN WRITING. IF DESIGN BUILD CONTRACTOR DOES NOT PAY THE DEBT WITHIN 30 DAYS OF EITHER SUCH NOTIFICATION, THE CITY CONTROLLER MAY DEDUCT FUNDS IN AN AMOUNT EQUAL TO THE DEBT FROM ANY PAYMENTS OWED TO DESIGN BUILD CONTRACTOR UNDER THIS AGREEMENT, AND DESIGN BUILD CONTRACTOR WAIVES ANY RECOURSE THEREFOR.

13.5 COMPETENCY OF RESPONDENT

13.5.1 The receipt and opening of a SOQ submittal shall not be construed as an acceptance of the Respondent as qualified and responsible. City reserves the right to determine the competency and responsibility of the Respondent from information submitted in the SOQ and verification of the Respondent's qualifications from other sources.

13.6 DISQUALIFICATION OF RESPONDENT

13.6.1 Although not intended to be an exhaustive list of causes for disqualification, one or more of the following causes, among others, may be considered sufficient for the disqualification of the Respondent and the rejection of its SOQ submittal.

- a) Evidence of collusion among Respondents
- b) Default on a previous project for failure to perform

14.0 SPECIAL CONDITIONS

14.1 Additional Instructions, Notifications and Information

14.1.1 Respondents who provide false or misleading information, whether intentional or not, in any documents presented to the City for consideration in the selection process shall be excluded. Any false or misleading information in these documents would in effect, render the entire document suspect and therefore useless.

14.1.2 Respondents shall not offer any gratuities, favors, or anything of monetary value to any official or employee of the City of Houston for the purposes of influencing this selection. Any attempt by the Respondent to influence the selection process by any means, shall be grounds for exclusion from the selection process.

14.1.3 **CONTRACT NEGOTIATIONS** - This solicitation is not to be construed as a contract or as a commitment of any kind. If this solicitation results in a contract offer by the City; a specific scope of work, fees, insurance coverage's, and other contractual matters will be determined during contract negotiations. To ensure that the appropriate staff is assigned to the project the City may include a "key persons" clause during contract negotiations.

14.1.4 **CONFIDENTIAL INFORMATION** - All responses shall be held confidential from other parties by the City to the extent allowable by law until after the selection process is completed. Respondents should be aware that at the completion of the selection process the contents of their RFQ are subject to the provisions of the Texas Open Records Act and may be made public. **CONFIDENTIAL** or **SENSITIVE** information should not be included in the responses to the solicitation.

14.1.5 This RFQ is not to be construed as a contract or a commitment of any kind, nor does it commit the City of Houston to pay for any cost incurred in the preparation of a submission or of any costs incurred prior to the execution of a final contract.

14.1.6 In the event that a mutually agreeable contract cannot be negotiated between the consultant and the City, then the City reserves the right to select an alternate Design Build Contractor.

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- 14.1.7 The City reserves the sole right to:
- 1) Evaluate submittals
 - 2) Waive any irregularities therein
 - 3) Request supplemental or additional information as necessary
 - 4) Contact others to verify information provided in the submittal
 - 5) Cancel the solicitation and/or reject any and all submittals, should it be deemed at the best interest of the City of Houston
- 14.1.8 No debriefings by the City staff to unsuccessful Respondents will occur until after the award of a contract by the Houston City Council to the recommended team(s).
- 14.1.9 The Mayor's Drug Detection and Deterrence Procedures for Contractors (Executive Order 1-31, Revised 3/1/95) requires that all contractors who are awarded City contracts for labor or services comply with the compliance with the Executive Order (EO) and will have to file the following documents with the Aviation Department's Contract Compliance Officer for Drug Testing (CCODT) prior to award.
- a. A copy of the Respondent's drug-free workplace policy
 - b. A Drug Policy Compliance Agreement substantially in the format described in the EO, together with a designation of safety impact positions.
 - c. If applicable, a Certification of No Safety Impact Positions substantially in the format described in the EO.
- 14.1.10 The successful firm will have to complete an Affidavit of Ownership or Control prior to completion of contract negotiations. The affidavit certifies that the firm is not delinquent in any debt owed to the City of Houston (taxes, fines, fees, etc.)
- 14.2 **No Contact Period**
- 14.2.1 Neither bidder(s) nor any person acting on bidder(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 ("City Representative"). 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 bidder(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.
- 14.2.2 **Guidance** - Interested parties should always contact the designated City Representative regarding the substance of this procurement. It is permissible to also contact the following, based on the specific circumstances:

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- 14.2.2.1 Questions regarding programs administered by the Office of Business Opportunity (OBO) may be submitted directly to OBO without going through the City Representative for this procurement.
- 14.2.2.2 Questions regarding the process in general or that the City Representative may not be able to answer may be submitted to the Chief Procurement Officer.
- 14.2.2.3 Communications with the city legal department regarding contract terms after notification of intent to award are permissible.

14.3 Security and Badges (As Applicable to this Project)

- 14.3.1 The Respondent shall comply with all applicable Federal rules governing security at the Airport.
- 14.3.2 All on-site personnel of Respondent, including subcontractors, who perform services under the Agreement, are required to undergo a fingerprint-based criminal history records check. Fingerprints are collected at the Airport Badging Office and submitted electronically for investigation.
- 14.3.3 The Respondent shall obtain HAS security badges for its personnel performing services on-site, including its subcontractors' personnel. On-site personnel shall wear identification badges at all times while on Airport property. The cost of badges, which is subject to change, is currently \$55.00 each at IAH/HOU and \$16.00 at EFD. Costs for the fingerprint-based criminal history records check are reflected in the cost of the badges. The Respondent is responsible for the cost of badges, including replacements thereof. The Respondent personnel losing badges will be charged for replacement badges at the then current rate. Badge yearly renewal cost is currently \$16.00.
- 14.3.4 The Respondent acknowledges that fines or penalties associated with non-compliance with security regulations shall be reimbursed to HAS.

14.4 Minority and Women Business Enterprises (MWBE)

- 14.4.1 Contractors shall comply with the City's Minority, Women and Small Business Enterprise (MWSBE) programs as set out in Chapter 15, Article V of the City of Houston Code of Ordinances. Contractors shall make Good Faith Efforts to awards subcontracts or supply agreements in at least the values stated below to MWSBE's. Contractor acknowledges that it has reviewed the requirements for Good Faith Efforts on file with the City's Office of Business Opportunity and will comply with them.

14.5 MWBE and Local Business Participation Plan

- 14.5.1 If the total Construction Cost Estimate for the Project is greater than One Million Dollars or if the contract has a Professional Services component the contractor shall make Good Faith Efforts to comply with the City Ordinances and the Requirements for the City of Houston Program for Minority, Women, and Small Business Enterprises. The contract goals are as follows:
 - 14.5.1.1 The MWBE goal is 30% (Design and Professional Services)
 - 14.5.1.2 The MBE goal is 20% (Construction)

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- 14.5.1.3 The WBE goal is 8% (Construction), and
- 14.5.1.4 The Respondent may substitute SBE participation of no more than 4% of the MBE and/or WBE goal of the construction portion of the contract.
- 14.5.2 The MWBE Participation Plan is based on the total design and professional services portion of this contract and MBE and WBE Participation goals are based on the total construction portion of this contract.
- 14.5.3 MWBE and the MBE and WBE Participation Plans are due along with the Additional Information for Step 2 from all short listed firms.
- 14.5.4 Failure by Contractor to comply with the Good Faith Efforts policy will be considered non-compliance with the MWSBE program. Failure to be compliant will result in any and all actions permitted by City Ordinance or the Office of Business Opportunity's Policies and Procedures Manual.
- 14.5.5 "Good Faith Efforts Policy" is defined in the Office of Business Opportunity's Policy and Procedures Manual, which is available at: <http://www.houstontx.gov/obo/index.html>.
- 14.6 **Protest**
 - 14.6.1 An interested party may file a protest on the basis that the City has failed to comply with applicable federal or state law or with City ordinances. The subject of the protest shall be limited to fraud, corruption, or illegal acts undermining the objectivity and integrity of the procurement process. A protest must be filed in accordance with the timing requirements set forth herein and must include:
 - 14.6.1.1 The name, address, telephone number, and email address of the protestor.
 - 14.6.1.2 The number of the solicitation.
 - 14.6.1.3 Information confirming that the protestor is an interested party.
 - 14.6.1.4 A written statement of the grounds for the protest and the law or ordinance alleged to have been violated. The statement shall be accompanied by relevant supporting documentation and the relief requested.
 - 14.6.1.5 The signature of the protestor.
 - 14.6.2 Protests shall be submitted to: Chief Procurement Officer, City of Houston, 901 Bagby B300, Houston, TX 77002.
 - 14.6.3 The City recognizes three types of protests:
 - 14.6.3.1 Protests regarding solicitation (Pre-Submission Protest)
 - 14.6.3.1.1 Any Pre-Submission Protest regarding a solicitation published by the City shall be filed no later than five days before the opening of bids (if a competitive bid) or due date for submittals or proposals (if an RFP/RFQ), as applicable.

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- 14.6.3.2 Protests regarding the evaluation or rejection of bids, qualifications, or proposals (Pre-Award Protest)
- 14.6.3.2.1 Any Pre-Award Protest regarding the evaluation of bids, qualifications, or proposals by the City must be filed no later than five business days prior to the City Council meeting at which the award appears on the agenda.
- 14.6.3.3 Protests made after City Council's decision to award a contract (Post-Award Protest)
- 14.6.3.3.1 Any protest regarding the award of a contract must be submitted no later than five calendar days after the date of the award.
- 14.6.3.4 Any protest received after the applicable deadline will not be considered.

14.7 Certificate of Interested Parties

- 14.7.1 In accordance with Texas Gov't Code §2252.908, the successful Respondent must complete Form 1295, Certificate of Interested Parties.
- 14.7.2 The successful Respondent must use the application to enter the required information on Form 1295 and print a copy of the completed form, which will include a certification of filing that will contain a unique certification number.
- 14.7.3 No later than 30 days after the contract's effective date, the City will upload the successful Respondent's completed Form 1295. The Texas Ethics Commission will post the Contractor's completed Form 1295 within seven business days of receipt.
- 14.7.4 For your reference, Form 1295 is attached as part of this document.

PART VI – INSTRUCTIONS TO RESPONDENTS

15.0 PRE-SUBMISSION CONFERENCE

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

15.2 Additional Information and Specification Changes

- 15.2.1 Requests for additional information and questions should be addressed to the Houston Airport System, Supply Chain Management Buyer Alfredo Oracion, 281-230-8009, fax 281-233-1685, or email (preferred method to) alfredo.oracion@houstontx.gov no later than 12:00 NOON., CST March 29, 2016. The City of Houston shall provide written responses to all questions received in writing before the submittal deadline. Questions received from all Respondent(s) shall be answered and sent to all Respondent(s) who are listed as having obtained the RFQ. Respondent(s) shall be notified in writing of any changes in the specifications contained in this RFQ.

DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
RFQ NO.: H27-PMODB-2016-020

15.3 Letter(S) of Clarification

15.3.1 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 RFQ should be used in preparing Submission responses.

15.3.2 The City does not assume responsibility for the receipt of any Letters of Clarification sent to Respondent(s).

15.4 Examination of Documents and Requirements

15.4.1 Each Respondent shall carefully examine all RFQ documents and thoroughly familiarize themselves with all requirements prior to submitting a Submission to ensure that the Submission meets the intent of this RFQ.

15.4.2 Before submitting a Submission, each Respondent shall be responsible for making all investigations and examinations that are necessary to ascertain conditions and affecting the requirements of this RFQ. Failure to make such investigations and examinations shall not relieve the Respondent from obligation to comply, in every detail, with all provisions and requirements of the RFQ.

15.5 Exceptions to Terms and Conditions

15.5.1 All exceptions included with the Submission shall be submitted in a clearly identified separate section of the Submission in which the Respondent clearly cites the specific paragraphs within the RFQ 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 City Purchasing Agent, City Attorney, Director(s) or designee in a written statement. The Respondent's preprinted or standard terms will not be considered by the City as a part of any resulting contract.

15.5.2 All Exceptions that are contained in the Submission may negatively affect the City's Submission evaluation based on the evaluation criteria as stated in the RFQ, or result in possible rejection of Submission.

15.5.3 Exceptions to Standard Contract. All short-listed respondents must submit any exceptions to the standard contract by redlining the standard contract electronically in unlocked, fully editable Microsoft Word format (in addition to any other hard copy delivery requirements). Short-listed respondents must include the rationale for taking the exception in the redlined contract (using the Comments feature, as needed) and by summarizing the exception in the attached Contract Exception Chart (Exhibit Q). Such exceptions will be considered when evaluating the short-listed respondent's response to this RFQ. If a short-listed respondent takes exception to the contract language (more than simply a deletion), it must include its proposed alternative language for the City's consideration. Redlines and the Contract Exception Chart will be due at the date and time set forth in the notice inviting the short-listed respondents to an interview, which due date will be on or before the date and time of the respondent's interview.

15.6 **Post-Submission Discussions with Respondent(S)**

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

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DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
RFQ NO.: H27-PMODB-2016-020

16.0 **ATTACHMENTS**

- Attachment A – Scope of Services
- Attachment B – Design Criteria Package
- Attachment C – Sample Contract
- Attachment D – Prohibited Firm(s)

17.0 **FORMS TO BE SUBMITTED WITH STATEMENT OF QUALIFICATION**

- Exhibit A – Offer and Submittal
- Exhibit B – Bidder's Statement of MBE/WBE/PDBE/DBE/SBE Status (00450)
- Exhibit C – Contractor Ownership Disclosure Ordinance & Affidavit of Ownership (00455)
- Exhibit D – Fair Campaign Ordinance (00452)
- Exhibit E – Statement of Residency (00453)
- Exhibit F – Pay or Play Acknowledgement Form (00840)
- Exhibit G – Anti-Collusion Statement
- Exhibit H – Conflict of Interest Questionnaire (00457)
- Exhibit I – RFQ Statement of Qualification/RFQ Addendum Acknowledgement
- Exhibit J – Surety Letter of Intent
- Exhibit K – Required Submittal Checklist
- Exhibit L – Respondent Contact Directory
- Exhibit M – Reference Verification Form

18.0 **FORMS TO BE SUBMITTED WITH ADDITIONAL INFORMATION**

- Exhibit N – Bidder's MWBE Participation Plan (00470)
- Exhibit O – Pre Bid Good Faith Efforts - Document (00471)
- Exhibit P – Bidder's MWSBE Goal Deviation Request (00472)
- Exhibit Q – Contract Exception Chart

19.0 **DOCUMENTS TO BE SUBMITTED BY SUCCESSFUL FIRM**

- 00501 Resolution of Corporation
- 00600 List of Proposed Subs and Suppliers
- 00601 Drug Policy Compliance Agreement
- 00606 Contractor's Certificate of No Safety Impact Positions
- 00620 Affidavit of Insurance
- 00621 COH Certificate of Insurance
- 00624 Affidavit of Compliance with Affirmative Action Program
- 00630 Certificate of Compliance with POP program
- 00631 POP Program List of Subs
- 00632 OBO Certification by Professional Service Provider
- 00842 Letter of Intent
- Form 1295 – Certificate of Interested Parties

**ATTACHMENT A – SCOPE OF SERVICES
DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
RFQ NO.: H27-PMODB-2016-020**

ATTACHMENT A

PROGRAM MANAGEMENT OFFICE (PMO) BUILDING

DESIGN-BUILD

SCOPE OF SERVICES

Attached Separately

**ATTACHMENT B – DESIGN CRITERIA PACKAGE
DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
RFQ NO.: H27-PMODB-2016-020**

**ATTACHMENT B
PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
DESIGN-BUILD
DESIGN CRITERIA PACKAGE**

Attached Separately

SAMPLE CONTRACT

Attached Separately

**ATTACHMENT D – PROHIBITED FIRM(S)
DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
RFQ NO.: H27-PMODB-2016-020**

LIST OF PROHIBITED FIRM:

- 1. Jacobs**

**EXHIBIT A – OFFER AND SUBMITTAL
DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
RFQ NO.: H27-PMODB-2016-020**

NOTE: PROPOSAL MUST BE SIGNED AND NOTORIZED 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 B – BIDDER’S STATEMENT OF MBE/WBE/PDBE/DBE/SBE STATUS
DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
RFQ NO.: H27-PMODB-2016-020**

Document 00450

BIDDER’S STATEMENT OF MBE/WBE/PDBE/DBE/SBE STATUS

This certifies that the status of the Bidder, _____, in
(Bidder's Name)

regard to the City of Houston Code of Ordinances, Chapter 15, Article V, relating to City-wide percentage goals for contracting with Minority and Women-owned Business Enterprises (MWBE) and Disadvantaged Business Enterprises (DBE), Chapter 15, Article VI, relating to City-wide percentage goals for contracting with Persons with Disabilities Business Enterprises (PDBE) and Chapter 15, Article IX, relating to City-wide percentage goals for contracting with a Small Business Enterprise (SBE) is as follows:

1. Bidder (individual, partnership, corporation) is is not a Minority Business Enterprise as certified by the Office of Business Opportunity.
2. Bidder (individual, partnership, corporation) is is not a Women-owned Business Enterprise as certified by the Office of Business Opportunity.
3. Bidder (individual, partnership, corporation) does does not declare itself to be a Persons with Disabilities Business Enterprise as defined above.
4. Bidder (individual, partnership, corporation) does does not declare itself to be a Disadvantaged Business Enterprise as defined above.
5. Bidder (individual, partnership, corporation) does does not declare itself to be a Small Business Enterprise as defined above.

Signature: _____

Title: _____

Date: _____

**EXHIBIT C – CONTRACTOR OWNERSHIP DISCLOSURE ORDINANCE & AFFIDAVIT OF OWNERSHIP
DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
RFQ NO.: H27-PMODB-2016-020**

Document 00455

CONTRACTOR OWNERSHIP DISCLOSURE ORDINANCE & AFFIDAVIT OF OWNERSHIP

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 C – CONTRACTOR OWNERSHIP DISCLOSURE ORDINANCE & AFFIDAVIT OF OWNERSHIP
DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
RFQ NO.: H27-PMODB-2016-020**

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:

**EXHIBIT C – CONTRACTOR OWNERSHIP DISCLOSURE ORDINANCE & AFFIDAVIT OF OWNERSHIP
DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
RFQ NO.: H27-PMODB-2016-020**

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 D – FAIR CAMPAIGN ORDINANCE
DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
RFQ NO.: H27-PMODB-2016-020**

Document 00452
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 _____

**EXHIBIT D – FAIR CAMPAIGN ORDINANCE
DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
RFQ NO.: H27-PMODB-2016-020**

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.

**EXHIBIT E – STATEMENT OF RESIDENCY
DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
RFQ NO.: H27-PMODB-2016-020**

Document 00453
BIDDER'S STATEMENT OF RESIDENCY

The City may not award a contract for general construction, services, or purchases to a Nonresident Bidder unless Nonresident's Bid is lower than the lowest Bid submitted by a responsible Texas Resident Bidder by the same amount that a Texas Resident bidder would be required to underbid the Nonresident Bidder to obtain a comparable contract in the state in which Nonresident's principle place of business is located.

1. This certifies that the Bidder, _____, is a State of Texas Resident Bidder as defined in TEX. GOVT. CODE ANN. § 2252.001(4) (Vernon 1994).

Signature

Title

"Texas Resident Bidder" means a bidder whose principal place of business is in this State, and includes a Contractor whose ultimate parent company or majority owner has its principal place of business in this State. *When bidder cannot sign 1, above, proceed to 2.*

2. a. _____ is a resident of _____ and is a Nonresident Bidder as defined in TEX. GOVT. CODE ANN. § 2252.001(3) (Vernon 1994).

Signature

Title

"Nonresident Bidder" means a bidder whose principal place of business is not in this State, but excludes a contractor whose ultimate parent company or majority owner has its principal place of business in this State.

- b. The State of _____ Bidder's resident state _____ Does or Does Not have a state statute giving preference to resident bidders.

Signature

Title

If the answer to 2.b is that your state does have a statute giving preference to resident bidders, then you must provide a copy and proceed to 3.

3. A copy of the State of _____ statute is attached.

Signature

Title

Date

**EXHIBIT F – PAY OR PLAY ACKNOWLEDGEMENT FORM
DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
RFQ NO.: H27-PMODB-2016-020**



**City of Houston
Pay or Play Program Requirements**



I. Pay or Play Program Overview

A. Purpose

The Pay or Play Program was established with Ordinance 2007-534 on July 1, 2007 and is governed by Executive Order 1-7. The Pay or Play Program (POP Program) creates a more level playing field and enhances fairness in the bid process between competing contractors that choose to offer health benefits to their workforce and those who do not. The program also recognizes and accounts for the fact that there are cost associated with health care of the uninsured citizens of the Houston and Harris County area.

B. Program Elements

1. Covered contracts:

- I.) Advertised after July 1, 2007 or which is executed on or after the effective date of this Executive Order.
- II.) Contracts valued at or above \$100,000.00 (contract) and \$200,000.00 (sub-contract) including contingencies, amendments, supplemental terms and/or change orders.
- III.) Professional Service, Construction, and Service type contracts.

2. Contracts not covered:

- I.) Any contract in which the primary purpose is procurement of property, goods, supplies, and or equipment.
- II.) An inter-governmental contract, inter-governmental agreement or purchasing cooperative.

3. Covered employees: This program applies to employees of a covered contractor or subcontractor, including contract labor, who are over age 18, work at least 30 hours per week and work any amount of time under a covered city contract or subcontract.

4. Pay or Play Option:

- I.) "Pays" by contributing \$1.00 per covered employee per regular hour for work performed under the contract with the City; or
- II.) "Plays" by providing health benefits to covered employees. Health benefits must meet or exceed the following standards:
 - The **employer will contribute no less than \$150 per covered employee per month** toward the total premium cost.
 - The **employee contribution, if any amount, will be no greater than 50% of the monthly premium cost and no more than \$150 per month.**

****Note: (1)A contractor is deemed to have complied with section 5.4 of E.O. 1-7 with respect to a covered employee who is not provided health benefits if the employee refuses the benefits and the employee's contribution to the premium is no more than \$40 per month. (2) If applicable the contractor has the option to both Pay and Play.***

**EXHIBIT F – PAY OR PLAY ACKNOWLEDGEMENT FORM
DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
RFQ NO.: H27-PMODB-2016-020**



**City of Houston
Pay or Play Program Requirements**



- 5. Exemptions/Waivers:** The City of Houston will award a contract to a contractor that neither Pays nor Plays only if the contractor has received an approved waiver (Form POP-4 requested by City departments only).
- 6. Administration:** Contractor performance in meeting Pay or Play program requirements will be managed by the contracting department. The Office of Business Opportunity (OBO) has administrative oversight of the program, including audit responsibilities (department compliance). Questions about the program should be referred to the Department POP Liaison an updated contact list is available on <http://www.houstontx.gov/obo/popforms.html> or call Gracie Orr with the Office of Business Opportunity at 832-393-0633.

II. Documentation and Reporting Requirements

A. Document that must be signed and returned to administering department with the bid/proposal.

- 1.) City of Houston Pay or Play Program Acknowledgment Form (Form POP-1) acknowledges bidder/proposers' knowledge of the program and its requirements, and the intention to comply.

B. Documents that must be signed and returned to administering department within a period designated by the department's Contract Administrator, upon notification of low bidder or successful proposer status:

- 1.) Certification of Compliance with Pay or Play Program (Form POP-2)

****Note - Contractors that opt to "play" must provide proof of coverage, including document from insurance provider, and names of covered employees.***

- 2.) List of Subcontractors (Form POP-3)

****Note- Review the affidavit statement at the bottom of this form for further important POP Compliance information.***

C. Contractors reporting requirements:

- 1.) Contractors that opt to Pay
Provide monthly reports to administering department, detailing names of employees, hours worked, exemptions (if any) and amount owed. (Form POP-5)
- 2.) Contractors that opt to Play
Provide periodic reports to the contract administrator showing proof of coverage (insurance premium invoice or insurance card) reporting schedule will be determined by administering department based on length of contract. (Form POP-7)

**EXHIBIT F – PAY OR PLAY ACKNOWLEDGEMENT FORM
DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
RFQ NO.: H27-PMODB-2016-020**



**City of Houston
Pay or Play Program Requirements**



3.) Employee Waiver Request

Contractor may request POP program waiver by submitting the request on POP-8 if the employee is less than 18 years old, employee has other health coverage such as through spouse or parents, or Medicare/Medicaid.

****Note proof of coverage must be provided in the form of a copy of the employee's insurance card. (Remove social security numbers if applicable)***

4.) Contractors shall submit an initial report with the second invoice to the department.

Payments based on monthly reports are due to the contracting department with submission of the following month's invoice. Payments may be made out to the City of Houston preferably via cashier check or business check.

III. Compliance and Enforcement

The Office of Business Opportunity will audit program compliance. Contractors willfully violating or misrepresenting POP program compliance will be subject to corrective and/or punitive action, including but not limited to the assessment of fines and penalties and/or debarment. The Pay or Play Program Requirements Form and all other POP Forms are available for downloading from the City of Houston's Website at <http://www.houstontx.gov/obo/popforms.html>

**EXHIBIT G – ANTI-COLLUSION STATEMENT
DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
RFQ NO.: H27-PMODB-2016-020**

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 H – CONFLICT OF INTEREST QUESTIONNAIRE
DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
RFQ NO.: H27-PMODB-2016-020**

Document 00457

CONFLICT OF INTEREST QUESTIONNAIRE

Chapter 176 of the Local Government Code requires every Vendor or Contractor with the City of Houston ("City") to file a Conflict of Interest Questionnaire with the City Secretary of the City of Houston by the **seventh** business day after:

(1) any contract discussions or negotiations begin, or

(2) submitting an application, responses to requests for proposals, bids, correspondence, or any writing related to a potential Agreement with the City.

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 completed Conflict of Interest Questionnaires will be posted on the City Secretary's website. There will also be a list of the City's Local Government Officers on the City of Houston's website.

Additionally, each Vendor or Contractor must file updated questionnaires no later than **September 1st** of each year that the Vendor or Contractor seeks to contract with the City, or the **seventh** business day after the date of an event that would render the questionnaire incomplete or inaccurate.

However, a Vendor or Contractor is not required to file a new questionnaire in any year if the vendor has completed a questionnaire between June 1st and September 1st of that year, unless the previous questionnaire is incomplete or inaccurate.

Original Conflict of Interest Questionnaire shall be filed with Houston's Records Administrator (Ms. Anna Russell, City Secretary, 900 Bagby, First Floor, Houston, Texas 77002). Vendors and Contractors shall include a copy of the form that was submitted to the City Secretary as part of the Bid Package. Any questions about filling out this form should be directed to your attorney

Failure of any Vendor or Contractor to comply with this law is a Class-C misdemeanor.

**EXHIBIT H – CONFLICT OF INTEREST QUESTIONNAIRE
 DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
 RFQ NO.: H27-PMODB-2016-020**

CONFLICT OF INTEREST QUESTIONNAIRE **FORM CIQ**
 For vendor or other person doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session. This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).
 By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.
 A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

OFFICE USE ONLY
Date Received

1 Name of person who has a business relationship with local governmental entity.

2 Check this box if you are filing an update to a previously filed questionnaire.
 (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 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.

Name of Officer

This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

Yes No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

Yes No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes No

D. Describe each employment or business relationship with the local government officer named in this section.

4

 Signature of person doing business with the governmental entity

 Date

Adopted 06/29/2007

**EXHIBIT I - RFQ STATEMENT OF QUALIFICATION/RFQ ADDENDUM ACKNOWLEDGEMENT
DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
RFQ NO.: H27-PMODB-2016-020**

**RFQ Statement of Qualification / RFQ ADDENDUM ACKNOWLEDGEMENT
(TO BE INCLUDED IN ENVELOPE #2)**

[Respondent's Letterhead]
City of Houston
RFQ Addendum Acknowledgment

Respondent: _____

Date: _____

Buyer
Title
Strategic Procurement Division
901 Bagby, Suite B300
Houston, Texas 77002

In response to the Request for Qualifications (RFQ) for the Design-Build of the Project dated _____, 2016, the undersigned hereby declares that I have carefully read and examined the response documents and hereby submit all elements of the STATEMENT OF QUALIFICATIONS as required in the subject Request for Qualifications. The undersigned Respondent acknowledges the right of the City to waive informalities in the responses, to reject any or all responses submitted, and to re-advertise for responses. The undersigned acknowledges receipt and consideration of the following addenda to the response documents:

Addendum Number: _____ Dated: ___/___/___

Addendum Number: _____ Dated: ___/___/___

Addendum Number: _____ Dated: ___/___/___

I, the undersigned, certify that I have examined and am fully familiar with the response documents and that I have satisfied myself with the respect to any questions I had regarding the RFQ. I further certify and declare that the information stated in this response is true and correct. I declare under penalty of perjury under the laws of the State of Texas, that the foregoing is correct.

Respondent:

[Enter Legal Name of Respondent, Primary Address, and Responsible Person]

((Signature)
(Type or Print Name)
(Title)

Phone Number:

E-mail Address:

By: Respondent's Business Address:

**EXHIBIT J – SURETY LETTER OF INTENT
DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
RFQ NO.: H27-PMODB-2016-020**

**[SURETY LETTERHEAD]
[Respondent's Letterhead]
City of Houston
SURETY LETTER OF INTENT**

RESPONDENT: _____ DATE: _____

Buyer
Title
Strategic Procurement Division
901 Bagby, Suite B300
Houston, Texas 77002

SURETY LETTER OF INTENT

Re: REQUEST FOR QUALIFICATIONS PMO BUILDING PROJECT

Dear Madam:

Surety understands that Contract will be for a Not-To-Exceed amount of \$13,900,000 with a Guaranteed Maximum Price to be established at the completion Design Development documents. The Performance Bond and Payment Bond will be awarded for One Hundred Percent (100%) of the Contract's GMP Price.

By executing this letter, Surety acknowledges that it has reviewed the information in this letter and in the RFQ and, with knowledge of that information, intends to issue the required Proposal Guaranty to the Respondent, and should the Respondent be awarded the Contract, promptly deliver a Performance Bond and Payment Bond for 100% of the Not-To-Exceed amount.

(Signature)
(Type or Print Name)
(Title)

Phone Number:

E-mail Address:

By: Respondent's Business Address:

**EXHIBIT K – REQUIRED SUBMITTAL CHECKLIST
DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
RFQ NO.: H27-PMODB-2016-020**

Item #	Required Submittal Check Sheet	Check (√)
1.	Table of Contents	
2.	Introduction Letter	
3.	Executive Summary	
4.	Section 1 - Letter of Transmittal	
5.	Project Approach	
6.	Firm Qualifications	
7.	Project Team Qualifications	
8.	Pre-Construction and Construction Phase	
9.	Management and Staffing Plan Services	
10.	Project Controls	
11.	Financial Capabilities	
12.	EXHIBIT A – Offer and Submittal	
13.	EXHIBIT B – Bidder's Statement of MBE/WBE/PDBE/DBE/SBE Status	
14.	EXHIBIT C – Contractor Ownership Disclosure & Affidavit of Ownership or Control	
15.	EXHIBIT D – Fair Campaign Ordinance Form “A”	
16.	EXHIBIT E – Statement of Residency	
17.	EXHIBIT F – Pay or Play Acknowledgement Form	
18.	EXHIBIT G – Anti-Collusion Statement	
19.	EXHIBIT H – Conflict of Interest Questionnaire	
20.	EXHIBIT I – RFQ Statement of qualification/RFQ addendum Acknowledgement	
21.	EXHIBIT J – Surety Letter of Intent	
22.	EXHIBIT K – Required Submittal Checklist	
23.	EXHIBIT L – Respondent Contact Directory Form	
24.	EXHIBIT M – Reference Verification Form	

**EXHIBIT L – RESPONDENT CONTACT DIRECTORY DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
RFQ NO.: H27-PMODB-2016-020**

RESPONDENT CONTACT DIRECTORY

NAME	POSITION/TITLE	MAILING ADDRESS	PHONE NUMBER	FAX NUMBER	EMAIL ADDRESS

The purpose of the Respondent Contact Directory is to provide the City with a centralized, easily identified source of important contacts and other information regarding each of the business entities constituting a Respondent. This Respondent Contact Directory should include the names, positions/titles, firms, mailing addresses, phone and fax numbers and e-mail addresses for each of the following as it pertains to each of the firms in a Proposer's team:

1. At least two individuals, one primary the other(s) secondary, authorized to represent the firm for purposes of this RFQ; and
2. Respondent Key Personnel (as appropriate) listed in the Submittal.

**EXHIBIT M – REFERENCE VERIFICATION FORM
DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
RFQ NO.: H27-PMODB-2016-020**

REFERENCES

- 1.1 Respondent must be able to demonstrate that they have sufficient expertise, qualified personnel experienced and that their company has done or currently providing the services of similar size as specified in the statement of work. Respondent must have been actively engaged as an actual business entity in the activities described in the bid document for at least the five (5) years immediately prior to the submission of their bid.
- 1.2 The reference(s) must be included in the space provided below. Additional pages may be added if necessary. References must be included at the time of bid submittal.

LIST OF CURRENT/PREVIOUS CUSTOMERS

1. Company Name: _____
Contact Person/Title: _____ Phone No.: _____
E-mail Address: _____
Address: _____
Contract Award Date: _____ Contract Completion Date: _____
Contract Name/Title: _____
Project Description: _____

2. Company Name: _____
Contact Person/Title: _____ Phone No.: _____
E-mail Address: _____
Address: _____
Contract Award Date: _____ Contract Completion Date: _____
Contract Name/Title: _____
Project Description: _____

3. Company Name: _____
Contact Person/Title: _____ Phone No.: _____
E-mail Address: _____
Address: _____
Contract Award Date: _____ Contract Completion Date: _____
Contract Name/Title: _____
Project Description: _____

**EXHIBIT N – BIDDER’S MWBE PARTICIPATION PLAN
 DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
 RFQ NO.: H27-PMODB-2016-020**

Document 00470

BIDDER’S MWSBE PARTICIPATION PLAN

The Bidder or Proposer shall submit this completed form with the bid, to demonstrate the Bidder/Proposer’s plan to meet the contract-specific MWSBE goal (“contract goal”). If the Bidder or Proposer cannot meet the contract goal, the Bidder/Proposer has the burden to demonstrate “Good Faith Efforts”, which shall include correctly and accurately preparing and submitting this form, a Record of Good Faith Efforts (Document 00471), a Request for Deviation from the Goal (Document 00472), and providing supporting documentation evidencing their “Good Faith Efforts”, as required by the City of Houston’s Good Faith Efforts Policy (Document 00808). The City will review the Participation Plan and Good Faith Efforts at the time of bid opening. Visit <http://www.houstontx.gov/obo> for more information.

City Contract Goal	MBE	WBE	<ul style="list-style-type: none"> • MBE and WBE Goals are two separate Contract Goals. • Any excess of one Goal cannot be applied to meet another Goal. • An SBE can be applied to the MBE and/or WBE Goal, but not to exceed 4%.
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NAICS Code (6 digit)	Description of Work (Plan Sheet #, Unit Price #, Scope of Work #, as applicable)	% of Total Bid Price (2 decimal places; for example, 5.00%)	Cert. Type for Goal: MBE, WBE, or SBE	Certified Firm Name Firm Address Contact Name Phone No. and E-Mail
			MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	
			MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	
			MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	
			MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	
			MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	
			MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	
			MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	

Bidder’s Participation Plan Total	MBE	WBE	SBE

Signature for Company: _____ *

Printed Name: _____

Company Name: _____

Phone #: _____

Date: _____

**EXHIBIT N – BIDDER’S MWBE PARTICIPATION PLAN
 DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
 RFQ NO.: H27-PMODB-2016-020**

DOCUMENT 00470

CONITINUATION PAGE

NAICS Code (6 digit)	Description of Work (Plan Sheet #, Unit Price #, Scope of Work #, as applicable)	% of Total Bid Price (2 decimal places; for example, 5.00%)	Cert. Type for Goal MBE, WBE, or SBE	Certified Firm Name Firm Address Contact Name Phone No. and E-Mail
			MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	
			MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	
			MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	
			MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	
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			MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	
			MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	

Signature for Company: _____ * Date: _____
 Print Name: _____ Phone: _____

*I understand that supplying inaccurate information may violate Texas Penal Code Section 37.10 and lead to City sanctions

**EXHIBIT O – PRE-BID GOOD FAITH EFFORTS
 DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
 RFQ NO.: H27-PMODB-2016-020**

Document 00471

PRE BID GOOD FAITH EFFORTS

Bidder or Proposer Name: _____ **Project Name & Bid/Contract #** _____

A Bidder or Proposer that may be unable to complete or follow a Participation Plan (Document 00470) to meet the Contract Goal in the solicitation must submit this completed form, Goal Deviation Request Form (Document 00472), and provide supporting documentation evidencing their “Good Faith Efforts”, as required by the City of Houston’s Good Faith Efforts Policy (see Document 00808).

The Bidder or Prime Contractor has the burden to demonstrate “Good Faith Efforts” to meet the MWSBE goal, which includes correctly and accurately preparing and submitting this form and other efforts described in the City’s Good Faith Efforts Policy (Document 00808). The Office of Business Opportunity will review Good Faith Efforts and Participation Plan after selection of an apparent low bidder.

UNLESS THE BIDDER’S/PROPOSER’S PARTICIPATION PLAN MEETS THE CONTRACT GOAL, FAILURE TO SUBMIT THIS FORM MAY RESULT IN THE BID BEING FOUND NON-RESPONSIVE.

NAICS Code	Plan Item No.	MWSBE Type for Goal	Certified Firm Name Address, Phone No., and E-Mail	Certified Firm Contact Person	Methods of Contact	Prime Contact Dates	Certified Firm Response	Results of Contact (why suitable or not suitable for work)
		MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>			Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/>			
		MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>			Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/>			
		MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>			Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/>			
		MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>			Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/>			

Authorized Signature: _____ Date: _____ Phone: _____

Print Name: _____ Email Address: _____

Company Name: _____

**EXHIBIT O – PRE-BID GOOD FAITH EFFORTS
 DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
 RFQ NO.: H27-PMODB-2016-020**

CONTINUATION PAGE

NAICS Code	Plan Item No.	MWSBE Type for Goal	Certified Firm Name Address, Phone No. and E-Mail	Certified Firm Contact Person	Method of Contact	Prime Contact Date	Certified Firm Response	Results of Contact (why suitable or not suitable for work)
					Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/>			
					Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/>			
					Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/>			
					Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/>			
					Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/>			
					Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/>			
					Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/>			

Authorized Signature: _____ Date: _____ Phone: _____

Print Name: _____ Email Address: _____

**EXHIBIT P – PRE-BID GOOD FAITH EFFORTS
 DESIGN-BUILD PROGRAM MANAGEMENT OFFICE (PMO) BUILDING
 RFQ NO.: H27-PMODB-2016-020**

Document 00472

BIDDER’S MWSBE GOAL DEVIATION REQUEST

Bidder or Proposer Name: _____

Project Name & Bid/Contract #: _____

Department Approved MWSBE Goals	SBE %	MBE %	WBE %	Total %
--	------------------	------------------	------------------	--------------------

Bidder’s Proposed MWSBE Goals	SBE %	MBE %	WBE %	Total %
--	------------------	------------------	------------------	--------------------

Justification: Please provide the reason the Bidder is unable to meet the MWSBE goal in the solicitation.

Good Faith Efforts: Please list any efforts not listed in the Bidder’s Good Faith Effort Report (Form 00471).

Date: _____ Bidder: _____

Email: _____ By: _____

Phone Number: _____ Title: _____

FOR OFFICIAL USE ONLY: Approved <input type="checkbox"/>		Not Approved <input type="checkbox"/>	
OBO Representative	Date:	_____	
_____	Title	_____	

This Contract Exception Chart MUST be included with the proposal response or the proposal will not be considered. Below, is an example Exception Chart, which is included for illustrative purposes only

ITEM No.	CONTRACT SECTION	CONTRACT LANGUAGE ¹	REVISED LANGUAGE IN RED-LINE FORMAT ²	EXPLANATION
1	Monthly Invoices	Contractor shall submit weekly invoices to the City for Products and Services in accordance with the requirements specified in this Section.	Contractor shall submit weekly <u>monthly</u> invoices to the City for Products and Services in accordance with the requirements specified in this Section.	Proposer's system is set up to bill on a monthly basis.
2	Contract Term	This Agreement is effective on the Countersignature Date and remains in effect for 2 years unless sooner terminated under this Agreement ("Initial Term").	This Agreement is effective on the Countersignature Date and remains in effect for 2 years <u>3 years</u> unless sooner terminated under this Agreement ("Initial Term").	Proposer's proposal will require 3 years to complete

Unless a Proposer agrees with and can fulfill all of the conditions and requirements in a contract clause, Proposer must state the exceptions to the clause in this chart and suggest proposed modifications to the specific contract language with which the Proposer disagrees or for which Proposer is unable to satisfy the condition or requirement, including an explanation of the revision (if any). If Proposer does not list an item as a contract exception on this chart, the City reserves the right to hold the Proposer accountable to perform in strict compliance with the proposed contract, if awarded to Proposer.

Explanation Box: Proposer should include an explanation to accompany the exception (e.g. the revised language), unless the revision is self-explanatory. Explanations may address a variety of matters, including, but not limited to:

- Distinguishing attributes or benefits associated with the response;
- Rationale for Proposer's revisions;
- Limitations, special conditions or deviations requested by Proposer;
- Additional descriptive information;
- Suggestions for services or features in addition to those requested by City of Houston; and Any matter that Proposer believes would be helpful to the City in reviewing the exception

¹ NOTE THAT THIS LANGUAGE IS MERELY ILLUSTRATIVE AND DOES NOT NECESSARILY REPRESENT ANY ACTUAL LANGUAGE IN THE RFP OR TERMS AND CONDITIONS RELATED TO THE RFP. PROPOSER SHALL INCLUDE THE EXACT LANGUAGE FROM THE RFP OR THE TERMS AND CONDITIONS IN THIS COLUMN.

² THE EXAMPLES OF REDLINED LANGUAGE ARE MERELY ILLUSTRATIVE AND DO NOT INDICATE LANGUAGE THAT THE CITY WOULD OR WOULD NOT ACCEPT OR BE WILLING TO AGREE TO.