

**REQUEST FOR QUALIFICATIONS
FOR
CAMPUS MASTER PLANNING
PROFESSIONAL SERVICES**

**FOR
LAMAR STATE COLLEGE-PORT ARTHUR
PORT ARTHUR, TEXAS**

**CAMPUS MASTER PLANNING
SERVICES**

RFQ No.:

758-18-04011

Submission Date:

April 11, 2018 – 2:00 p.m. (C.D.T.)

Prepared By:

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**REQUEST FOR QUALIFICATIONS FOR
CAMPUS MASTER PLANNING SERVICES
LAMAR STATE COLLEGE-PORT ARTHUR
CAMPUS MASTER PLAN
RFQ NO.: 758-18-04011**

SECTION 1 – GENERAL INFORMATION & REQUIREMENTS

- 1.1 **GENERAL INFORMATION:** The Texas State University System (“TSUS”) and **Lamar State College-Port Arthur (“College”)** are soliciting Statements of Qualifications for selection of a firm (“Master Planner”) to provide **Master Planning Services** for Lamar State College-Port Arthur’s campus in Port Arthur, Texas (“Project”), in accordance with the terms, conditions, and requirements set forth in this Request for Qualifications (RFQ). TSUS and Lamar State College-Port Arthur are referred to together in this RFQ as “Owner”.
- 1.1.1 Collecting Statements of Qualifications in response to this RFQ is the first step in selecting a Master Planner. This RFQ provides the information necessary for respondents to prepare and submit Statements of Qualifications for consideration and initial ranking by the Owner. In the next step the Owner will determine an initial ranking of the respondents. If the initial ranking of the respondents is reasonably conclusive, the Owner may make a “most qualified” selection based upon the written Qualifications only. If not, then the Owner may conduct interviews with a “short list” of respondents.
- 1.1.2 The Owner may select up to five (5) of the top ranked qualified respondents to participate in an interview with the Owner to confirm and clarify the qualifications submitted and to answer additional questions. The Owner will then rank the interviewed respondents in order to determine a single most qualified respondent.
- 1.1.3 After selecting the most qualified respondent the Owner will negotiate the detailed professional services to be provided by the Master Planner and a suitable fee for those services.
- 1.2 **PUBLIC INFORMATION:** All information, documentation, and other materials submitted in response to this solicitation are considered non-confidential and/or non-proprietary and are subject to public disclosure under the Texas Public Information Act (*Texas Government Code*, Chapter 552.001, *et seq.*) after the solicitation is completed. The Owner strictly complies with all statutes, court decisions, and opinions of the Texas Attorney General with respect to disclosure of RFQ information.
- 1.3 **TYPE OF CONTRACT:** Any contract resulting from this solicitation will be negotiated between the Owner and the successful firm, based on a scope of services and fee to be agreed upon by the parties. General information regarding the probable scope of services is contained in this RFQ.
- 1.4 **CLARIFICATIONS AND INTERPRETATIONS:** Any clarifications or interpretations of this RFQ that materially affect or change its requirements will be posted by the Owner as an addendum on all media channels where it was initially advertised. It is the responsibility of all respondents to obtain this information in a timely manner. All such addenda issued by the Owner before the

proposals are due as part of the RFQ, and respondents shall acknowledge receipt of and incorporate each addendum in its Qualifications. Respondents shall consider only those clarifications and interpretations that the Owner issues by addenda five (5) days prior to the submittal deadline. Interpretations or clarifications in any other form, including oral statements, will not be binding on the Owner and should not be relied on in preparing Qualifications.

1.5 SUBMISSION OF QUALIFICATIONS:

1.5.1 The qualifications must be received **at the address specified** prior to the deadline. The Owner will not consider any response to this solicitation that is not received at the address specified by the deadline, regardless of whether it has been received elsewhere on the Lamar State College-Port Arthur campus.

1.5.2 DEADLINE AND LOCATION: The Owner will receive Qualifications for RFQ No. 758-18-04011 at the time and location described below.

April 11, 2018 - 2:00 p.m. (C.D.T.)

Ms. Allison Wright, CTPM, CTCM
Lamar State College-Port Arthur
Business Office Room 117
P.O. Box 310/1501 Procter St.
Port Arthur, Texas 77641

1.5.3 Submit (2) electronic versions of the Qualification Package and HSP on CD or flash drive format.

1.5.4 Submit (6) six identical copies of the Qualifications. An original signature must be included on the respondent's "Execution of Offer" document submitted with each copy.

1.5.5 Submit one (1) original and one (1) copy of the HUB Subcontracting Plan (HSP) as separate attachments to the Qualifications as described in Section 1.13.

1.5.6 Qualifications and HSP materials received after the deadline in 1.5.2 will be returned to the respondent unopened.

1.5.7 The Owner will not acknowledge or receive Qualifications that are delivered by telephone, facsimile (fax), or electronic mail (e-mail).

1.5.8 Properly submitted Qualifications will not be returned to respondents.

1.5.9 Qualification, financial statements (see Section 3.2.2) and HSP materials must be enclosed in a sealed envelope (box or container) addressed to the Point-of-Contact person; the package must clearly identify the submittal deadline, the RFQ number, and the name, return address and email address of the respondent contact on all envelopes.

1.6 POINT-OF-CONTACT: The Owner designates the following person as its representative and Point-of-Contact for this RFQ. Respondents shall restrict all contact with the Owner and direct all

questions regarding this RFQ, including questions regarding terms and conditions and technical specifications, to the Point-of-Contact person **by email only**.

Ms. Allison Wright, CTPM, CTCM
Lamar State College-Port Arthur
Business Office Room 117
P.O. Box 310/ 1501 Procter St.
Port Arthur, Texas 77641
Email: verretar@lamarpa.edu

- 1.7 **EVALUATION OF QUALIFICATIONS:** The evaluation of the Qualifications shall be based on the requirements described in this RFQ. All properly submitted Qualifications will be reviewed, evaluated, and ranked by a Selection Committee appointed by the President of Lamar State College-Port Arthur. Typically, that committee will include both present and future users of campus facilities developed by the Project and by facilities professionals, including representation from the TSUS System Office. The top five or fewer ranked respondents may be selected by the Owner for further consideration by participating in an interview wherein qualifications will be presented and examined in further detail and where questions will be posed by the Selection Committee and answered by the respondent.
 - 1.7.1 Qualifications submittals should not include any information regarding respondent's proposed fees, pricing, or other compensation considerations as these will not be a factor in the selection of the best qualified firm.
- 1.8 **OWNER'S RESERVATION OF RIGHTS:** The Owner may evaluate the Qualifications based on the anticipated completion of all or any portion of the Project. The Owner reserves the right to divide the Project into multiple parts, to reject any and all Qualifications and re-solicit for new Qualifications, or to reject any and all submissions and temporarily or permanently abandon the Project. Owner makes no representations, written or oral, that it will enter into any form of agreement with any respondent to this RFQ for any project and no such representation is intended or should be construed by the issuance of this RFQ.
- 1.9 **ACCEPTANCE OF EVALUATION METHODOLOGY:** By submitting its Qualifications in response to this RFQ, respondent accepts the evaluation process and acknowledges and accepts that determination of the "most qualified" firm(s) will require subjective judgments by the Owner.
- 1.10 **NO REIMBURSEMENT FOR COSTS:** Respondent acknowledges and accepts that any costs incurred from the respondent's participation in this RFQ shall be at the sole risk and responsibility of the respondent.
- 1.11 **PRE-SUBMITTAL CONFERENCE:** There will be no pre-submittal conference conducted for this selection process.
- 1.12 **ELIGIBLE RESPONDENTS:** Only individual firms or lawfully formed business organizations may apply (This does not preclude a respondent from using consultants.) The Owner will contract only with the individual firm or formal organization that submits a Qualification.
- 1.13 **HISTORICALLY UNDERUTILIZED BUSINESSES' SUBMITTAL REQUIREMENTS:** It is the policy of the Texas State University System and each of its component institutions, to promote and

encourage contracting and subcontracting opportunities for Historically Underutilized Businesses (HUB) in all contracts. Accordingly, it will be the Owner's objective to include HUB firms in this procurement to the extent reasonably possible. HUB firms and primary Respondents employing HUB firms will be given favorable consideration by the selection committee. A HUB plan will be required in any Agreement resulting from this RFQ.

- 1.14 **CERTAIN PROPOSALS AND CONTRACTS PROHIBITED:** Under Section 2155.004, Texas Government Code, a state agency may not accept a proposal or award a contract that includes proposed financial participation by a person who received compensation from the agency to participate in preparing the specifications or request for proposals on which the proposal or contract is based. All vendors must certify their eligibility by acknowledging the following statement, "Under Section 2155.004, Government Code, the vendor certifies that the individual or business entity named in this bid or contract is not ineligible to receive the specified contract and acknowledges that this contract may be terminated and payment withheld if this certification is inaccurate." If a state agency determines that an individual or business entity holding a state contract was ineligible to have the contract accepted or awarded as described above, the state agency may immediately terminate the contract without further obligation to the vendor. This section does not create a cause of action to contest a proposal or award of a state contract.
- 1.15 **SALES AND USE TAXES:** Section 151.311, Tax Code, as amended effective October 1, 1993, permits the purchase free of state sales and use taxes of tangible personal property to be incorporated into realty in the performance of a contract for an improvement to realty for certain exempt entities that include Texas State University System and Lamar State College-Port Arthur. The section further permits the purchase tax-free of tangible personal property (other than machinery or equipment and its accessories and repair and replacement parts) for use in the performance of such a contract if the property is "necessary and essential for the performance of the contract" and "completely consumed at the job site." In addition, the section permits the purchase tax-free of a tangible service for use in the performance of such a contract if the service is performed at the job site and if "the contract expressly requires the specific service to be provided or purchased by the person performing the contract" or "the service is integral to the performance of the contract."
- 1.16 **CERTIFICATION OF FRANCHISE TAX STATUS:** Respondents are advised that the successful respondent will be required to submit certification of franchise tax status as required by State Law (H.B. 175, Acts 70th Leg. R.S., 1987, Ch. 283, p. 3242). The contractor agrees that each subcontractor and supplier under contract will also provide a certification of franchise tax status.
- 1.17 **DELINQUENCY IN PAYING CHILD SUPPORT:** Under Section 231.006, Family Code, the vendor or applicant certifies that the individual or business entity named in this contract, bid, or application is not ineligible to receive the specified grant, loan, or payment and acknowledges that this contract may be terminated and payment may be withheld if this certification is inaccurate.
- 1.18 **STATE REGISTRATION OF ENGINEERING FIRMS:** Respondents are advised that the Texas Board of Professional Engineers requires that any entity providing engineering services to the public must register with the Texas Board of Professional Engineers. An entity is defined as a sole proprietorship, firm, partnership, corporation or joint stock association.
- 1.19 **STATE REGISTRATION OF ARCHITECTURAL FIRMS:** Respondents are advised that the Texas Board of Architectural Examiners requires that any entity (including architects, landscape

architects and interior designers) providing architectural services (including architects, landscape architects and interior designers) to the public must register with the Texas Board of Architectural Examiners. An entity is defined as a sole proprietorship, firm, partnership, corporation or joint stock association.

SECTION 2 – EXECUTIVE SUMMARY

- 2.1 **HISTORICAL BACKGROUND:** John W. Gates of New York City, one of the founders of Texaco, established Port Arthur Business College in 1909, to train people for the petrochemical industry, then in its infancy. The college became Port Arthur Collegiate Institute in 1911, when the school was presented to the Board of Education of the Methodist Episcopal Church North, a forerunner of the present United Methodist Temple. The church operated the growing campus until 1918, when it was turned over to a non-profit Texas corporation. This corporation had no capital stock and was overseen by a self-perpetuating board of trustees. The name of the school was changed back to Port Arthur Business College and finally, in 1932, to Port Arthur College.

On July 31, 1974, another milestone in the school's history was reached. W. Sam Monroe, then President of Port Arthur College and a Lamar University regent, presented his fellow members of the Lamar board a resolution seeking merger of Port Arthur College into Lamar University. The 21 trustees of the school agreed that the merger would be in the best interests of both institutions and their constituencies.

The 64th Legislature of the State of Texas authorized the merger and appropriated \$600,000 for creation of the Lamar University Center at Port Arthur. On Aug. 21, 1975, the trustees presented the deed for Port Arthur College to the Lamar University Board of Regents. Classes began on the Port Arthur campus on Aug. 28, 1975. Since the merger in 1975, enrollment increased from 151 students to a peak of more than 3,000 and the curriculum has been expanded to more than 50 areas of study. In 1977, the 65th Legislature approved House Bill 1134 renaming the campus as Lamar University-Port Arthur; the "Extension Center" designation was dropped. In 1983, the 68th Legislature passed three bills which directly affected the college:

- 2.1.1 Senate Bill 409 in effect deleted the restrictive language of H.B. 130 (passed in 1971 by the 63rd Legislature), thereby making Lamar University-Port Arthur eligible, on an equal basis with other state institutions, for state funds to be utilized in the purchase of land and/or buildings.
- 2.1.2 Senate Bill 410 provided Lamar University regents with the authority to levy a fixed student fee and the authority to bond against said fee for construction of a student center building on the Port Arthur campus. This legislation was validated by a majority vote of the Lamar University-Port Arthur student body in November 1983.
- 2.1.3 Senate Bill 620 created the Lamar University System. Lamar University-Port Arthur thus became a component institution of that system on Aug. 29, 1983.

In 1985, two bills affected the school:

- 2.1.4 Senate Bill 578 in 1985 provided that Lamar University-Port Arthur should be renamed a beneficiary institution and receive funds through the Higher Education Assistance Fund.

2.1.5 The General Appropriations Act of 1985 directed that a formula be developed by the Texas Higher Education Coordinating Board to provide operational funding to Lamar University-Port Arthur on the same basis as other state-supported institutions of higher education.

2.1.5.1 Senate Bill 78 in 1989 removed restrictions imposed by earlier legislation on the acquisition of real estate and the construction of facilities on campus.

2.1.5.2 Senate Bill 843 in 1991 clarified the issue of degree-granting authority by granting permission for Lamar University-Port Arthur to issue associate degrees in its own name. Effective Sept. 1, 1995, by action of the Texas Legislature, the Lamar University System was abolished and Lamar University-Port Arthur along with sister institutions in Orange and Beaumont joined The Texas State University System. With offices in Austin, TSUS includes Sam Houston State University, Texas State University, and Sul Ross State University.

House Bill 1297 was signed into law in June 1999, changing the name of the institution to Lamar State College-Port Arthur.

Lamar State College-Port Arthur is a member of The Texas State University System and an equal opportunity/affirmative action educational institution.

2.2 MISSION STATEMENT: Lamar State College-Port Arthur provides learning experiences that prepares students to continue their education or enter the workforce.

2.3 PROJECT DESCRIPTION, SCOPE AND BUDGET:

2.3.1 Investigation and Assessment of Existing Conditions

2.3.1.1 Planning Methodology for the Campus Master Plan

2.3.1.2 Campus Land Use

2.3.1.3 Building Use and Conditions

2.3.1.4 Open Space and Pedestrian Circulation

2.3.1.5 Vehicular Circulation and Parking

2.3.1.6 Academic Programs

2.3.1.7 Student Enrollment Patterns

2.3.1.8 Community Physical Relationships

2.3.1.9 Regulatory and Environmental Issues

2.3.1.10 Athletic and Recreational Facilities

2.3.1.11 Campus Infrastructure

2.3.1.12 Landscape Character

2.3.1.13 Architectural Design Character

2.3.2 Future Campus Requirements and Projections

2.3.2.1 Future Academic Programs

2.3.2.2 Student Enrollment Assumptions

2.3.2.3 Faculty and Staff Projections

2.3.2.4 Academic Space Projections

2.3.2.5 Support Facilities Projections

2.3.2.6 Parking Space Projections

2.3.2.7 Campus Infrastructure Projections

- 2.3.2.8 Proposed Land Acquisitions/Disposals
- 2.3.2.9 Student Housing
- 2.3.2.10 Auxiliary Facilities

- 2.3.3 Recommended 2018-2028 Campus Master Plan
 - 2.3.3.1 Land and Building Use
 - 2.3.3.2 Historical Preservation Planning (if appropriate)
 - 2.3.3.3 Open Space and Pedestrian Circulation
 - 2.3.3.4 Landscape and Landscape Design Guidelines
 - 2.3.3.5 Vehicular Circulation and Parking
 - 2.3.3.6 On-Campus Residential
 - 2.3.3.7 Campus Infrastructure
 - 2.3.3.8 Architectural Design Guidelines
 - 2.3.3.9 Comprehensive Plan
 - 2.3.3.10 Cost Estimates for Building, Infrastructure and Site Improvements
 - 2.3.3.11 Capital Improvement Program and Phasing Plan

2.4 **PROJECT PLANNING SCHEDULE:** Tentative key Project planning schedule milestones are:

	<u>Calendar Days</u>
2.4.1 RFQ Submittal Questions Deadline (12:00 p.m.)	April 2, 2018
2.4.2 Owner receives Request For Qualifications	April 11, 2018
2.4.3 Owner interviews Respondents (if applicable)	April 24, 2018
2.4.4 Owner executes Agreement	May 3, 2018
2.4.5 Owner approves Investigation/Assessment of Existing Phase	August 2018
2.4.6 Owner approves Future Requirements & Projections Phase	October 2018
2.4.7 Owner approves Recommended 2008-2018 Plan.....	January 2019
2.4.8 Presentation to Planning and Construction Committee of the TSUS Board of Regents.....	February 2019
2.4.9 Owner approves Final Plan Document	March 2019
2.4.10 Presentation to Board of Regents at Quarterly Meeting	May 2019

The actual detailed schedule for all production elements of the Project will be the subject of the scope and fee negotiations concluded between the Owner and the Master Planner prior to executing the Agreement.

SECTION 3 – REQUIREMENTS FOR STATEMENT OF QUALIFICATIONS

Respondents shall carefully read the information contained in the following criteria and submit a complete Statement of Qualifications to all questions in Section 3 formatted as directed in Section 4. Incomplete Qualifications will be considered non-responsive and subject to rejection. In this Section, references to “Prime Firm” shall mean the Master Planner.

- 3.1 **CRITERION ONE: RESPONDENT’S STATEMENT OF QUALIFICATIONS AND AVAILABILITY TO UNDERTAKE THE PROJECT** (Maximum of two (2) printed pages per question)

- 3.1.1 Provide a statement of interest for the project including a narrative describing the Prime Firm's and Project Team's unique qualifications as they pertain to this particular project.
 - 3.1.2 Provide a brief history of the Prime Firm and each consultant proposed for the project.
 - 3.1.3 Provide a graphic representation of the project team, identifying the Prime Firm and each consultant proposed for the project.
 - 3.1.4 Provide a statement on the availability and commitment of the Prime Firm and its principal(s) and assigned professionals to undertake the project.
- 3.2 CRITERION TWO: PRIME FIRM'S ABILITY TO PROVIDE SERVICES
- 3.2.1 Provide the following information for the Prime Firm:
 - 3.2.1.1 Legal name of the company as registered with the Secretary State of Texas.
 - 3.2.1.2 Address of the office that will be providing services.
 - 3.2.1.3 Number of years in business.
 - 3.2.1.4 Type of Operation (Individual, Partnership, Corporation, Joint Venture, etc.).
 - 3.2.1.5 Number of Employees by skill group.
 - 3.2.1.6 Annual revenue totals for the past ten (10) years.
 - 3.2.2 Provide the three (3) most recent audited financial statements documenting Master Planner's financial stability. If audited statements are not available, so state and provide recent financial statements with a cover letter from your CPA. Provide this information in a separate sealed envelope marked "Confidential Financial Information."
 - 3.2.2.1 This will not be counted as part of the 50-page limit referenced in Section 4.1.2. Do not include this information in the electronic file submission.
 - 3.2.3 Is your company currently for sale or involved in any transaction to expand or to become acquired by another business entity? If yes, please explain the impact both in organizational and directional terms.
 - 3.2.4 Provide any details of all past or pending litigation or claims filed against your company that would affect your company's performance under a Contract with the Owner.
 - 3.2.5 Is your company currently in default on any loan agreement or financing agreement with any bank, financial institution, or other entity? If yes, specify date(s), details, circumstances, and prospects for resolution.
 - 3.2.6 Does any relationship exist by relative, business associate, capital funding agreement, or any other such kinship between your firm and any Owner employee, officer or Regent? If so, please explain.

3.3 CRITERION THREE: PROJECT TEAM'S ABILITY TO PROVIDE MASTER PLANNING SERVICES

- 3.3.1 Describe, in graphic and written form, the proposed project assignments and lines of authority and communication for principals and key professional members of the team that will be involved in the project. Indicate the estimated percent of time these individuals will be involved in the project.
- 3.3.2 Provide resumes giving the experience and expertise of the professional members for each person that will be involved in the project, including their experience with similar projects, the number of years with the firm, and their city of residence.
- 3.3.3 Clearly identify the members of the proposed team who worked on the listed projects in Criterion 3.4, and describe their roles in those projects.
- 3.3.4 Describe the basis for the selection of any proposed sub-consultants included in the master planning team and the role each will play for this project.
- 3.3.5 Describe the Prime Firm's process in working with consultants and integrating them into the master planning process.

3.4 CRITERION FOUR: RESPONDENT'S PERFORMANCE ON PAST REPRESENTATIVE PROJECTS

- 3.4.1 List a maximum of five (5) master planning projects for which you have provided services that are most related to this project. List the projects in order of priority, with the most relevant project listed first. Previous TSUS projects and/or any other state-funded projects or projects for institutions of higher education are preferred. Provide the following information for each project listed:
 - 3.4.1.1 Project name, location, and description.
 - 3.4.1.2 General description of the scope of the master planning effort involved in the project, including gross square footage of improvements, infrastructure and other aspects of the plan.
 - 3.4.1.3 Description of services Prime Firm provided for the project.
 - 3.4.1.4 Name of Project Principal/Manager (individual responsible to the Owner for the overall success of the project).
 - 3.4.1.5 Name of Project Planner (individual responsible for coordinating the day to day work) Consultants.
- 3.4.2 References (for each project listed above, identify the following):
 - 3.4.2.1 The Owner's name and representative who served as the day-to-day liaison during the life of the project (include telephone number).
 - 3.4.2.2 Length of business relationship with the Owner.
- 3.4.3 References shall be considered relevant based on specific project participation and experience with the Respondent. The Owner may contact references during any part of

this process. The Owner reserves the right to contact any other references at any time during the RFQ process.

3.5 CRITERION FIVE: RESPONDENT'S KNOWLEDGE OF BEST PRACTICES

- 3.5.1 Describe your firm's philosophy, methodology, and process for master planning.
- 3.5.2 Describe your project team's demonstrated technical competence and qualifications with institutional planning projects, particularly those for higher education.
- 3.5.3 Describe your cost estimating methods for the projects included in a master plan. For any combination of three (3) projects listed in response to Criterion 3.4, provide examples of how these techniques were used.

3.6 CRITERION SIX: RESPONDENT'S APPROACH TO CAMPUS MASTER PLANNING

- 3.6.1 Discuss how you anticipate using Lamar State College-Port Arthur's existing Campus Master Plan in your own planning effort, which will be expected to guide the campus development over the next 10-year period.
- 3.6.2 Explain what you regard as key understandings between Owner and Master Planner and primary steps that will be taken by both to achieve a successful master planning effort.
- 3.6.3 Summarize the primary basic planning services that you plan to offer and those you hope to receive from the Owner during the planning effort.
- 3.6.4 Based on the scope described in Section 2.3, describe how your firm would approach the Project. What to offer and information or services would you expect to receive from the Owner during the planning effort?
- 3.6.5 Identify any key infrastructure elements (i.e. roads, utilities, etc.) that you think must be included in the Project and give some suggestion of the extent to which these elements should be studied as a part of the Project efforts.

3.7 CRITERION SEVEN: EXECUTION OF OFFER

NOTE TO RESPONDENTS: SUBMIT ENTIRE SECTION WITH RESPONSE.

THIS EXECUTION OF OFFER MUST BE COMPLETED, SIGNED, AND RETURNED WITH THE RESPONDENT'S QUALIFICATIONS. FAILURE TO COMPLETE, SIGN AND RETURN THIS EXECUTION OF OFFER WITH THE QUALIFICATIONS MAY RESULT IN REJECTION OF THE QUALIFICATIONS.

SIGNING A FALSE STATEMENT MAY VOID THE SUBMITTED QUALIFICATIONS OR ANY AGREEMENTS OR OTHER CONTRACTUAL ARRANGEMENTS, WHICH MAY RESULT FROM THE SUBMISSION OF RESPONDENT'S QUALIFICATIONS, AND THE RESPONDENT MAY BE REMOVED FROM ALL PROPOSER LISTS. A FALSE CERTIFICATION SHALL BE DEEMED A MATERIAL BREACH OF CONTRACT AND, AT

OWNER'S OPTION, MAY RESULT IN TERMINATION OF ANY RESULTING CONTRACT OR PURCHASE ORDER.

- 3.7.1 By signature hereon, Respondent acknowledges and agrees that (1) this RFQ is a solicitation for Qualifications and is not a contract or an offer to contract; (2) the submission of Qualifications by Respondent in response to this RFQ will not create a contract between the Owner and Respondent; (3) the Owner has made no representation or warranty, written or oral, that one or more contracts with the Owner will be awarded under this RFQ; and (4) Respondent shall bear, as its sole risk and responsibility, any cost which arises from Respondent's preparation of a response to this RFQ.
- 3.7.2 By signature hereon, Respondent offers and agrees to furnish to the Owner the products and/or services more particularly described in its Qualifications, and to comply with all terms, conditions and requirements set forth in the RFQ documents and contained herein.
- 3.7.3 By signature hereon, Respondent affirms that he has not given, nor intends to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor or service to a public servant in connection with the submitted Qualifications.
- 3.7.4 By signature hereon, Respondent that is a "taxable entity" under Section 171.0002 of the Texas Code certifies that it is not currently delinquent in the payment of any Franchise Taxes due under Chapter 171, Texas Tax Code.
- 3.7.5 By signature hereon, the Respondent hereby certifies that neither the Respondent nor the firm, corporation, partnership or Owner represented by the Respondent, nor anyone acting for such firm, corporation, or institution has violated the antitrust laws of this state, codified in Section 15.01, ET. seq., Texas Business and Commerce Code, or the Federal antitrust laws, nor communicated directly or indirectly the Qualifications made to any competitor or any other person engaged in such line of business.
- 3.7.6 By signature hereon, Respondent represents and warrants that:
 - 3.7.6.1 Respondent is a reputable company regularly engaged in providing products and/or services necessary to meet the terms, conditions and requirements of the RFQ;
 - 3.7.6.2 Respondent has the necessary experience, knowledge, abilities, skills, and resources to satisfactorily perform the terms, conditions and requirements of the RFQ;
 - 3.7.6.3 Respondent is aware of, is fully informed about, and is in full compliance with all applicable federal, state and local laws, rules, regulations and ordinances;
 - 3.7.6.4 All statements, information and representations prepared and submitted in response to this RFQ are current, complete, true and accurate. Respondent acknowledges that the Owner will rely on such statements, information and representations in selecting the successful Respondent. If selected by the Owner as the successful Respondent, Respondent will notify the Owner immediately of any material change in any matters with regard to which Respondent has made a statement or representation or provided information.

- 3.7.7 By signature hereon, Respondent certifies that the individual signing this document and the documents made part of the RFQ is authorized to sign such documents on behalf of the company and to bind the company under any agreements or other contractual arrangements, which may result from the submission of Respondent's Qualifications.
- 3.7.8 By signature hereon, Respondent certifies that if a Texas address is shown as the address of the Respondent, Respondent qualifies as a Texas Bidder as defined in Rule 34 TAC 20.32 (68).
- 3.7.9 By signature hereon, Respondent certifies as follows:
- 3.7.9.1 "Under Section 231.006, *Texas Family Code*, the vendor or applicant certifies that the individual or business entity named in this contract, bid, or application is not ineligible to receive the specified grant, loan, or payment and acknowledges that this contract may be terminated and payment may be withheld if this certification is inaccurate."
- 3.7.9.2 "Under Section 2155.004, *Texas Government Code*, the vendor or applicant certifies that the individual or business entity named in this bid or contract is not ineligible to receive the specified contract and acknowledges that this contract may be terminated and payment withheld if this certification is inaccurate."
- 3.7.9.3 "Under Section 2254.004, *Texas Government Code*, the vendor or applicant certifies that each individual or business entity which is an engineer or architect proposed by Respondent as a member of its team was selected based on demonstrated competence and qualifications only."
- 3.7.10 By signature hereon, Respondent certifies that no relationship, whether by relative, business associate, capital funding agreement or by any other such kinship exist between Respondent and an employee of any TSUS component, or Respondent has not been an employee of any TSUS component within the immediate twelve (12) months prior to your RFQ response. All such disclosures will be subject to administrative review and approval prior to the Owner entering into any contract with Respondent.
- 3.7.11 By signature hereon, Respondent affirms that no compensation has been received for participation in the preparation of the specifications for this RFQ. (ref. Section 2155.004 Texas Government Code).
- 3.7.12 By signature hereon, Respondent agrees that any payments that may become due under any agreements or other contractual arrangements, which may result from the submission of Respondent's Qualifications, will be applied towards any debt including, but not limited to, delinquent taxes and child support that is owed to the State of Texas.
- 3.7.13 By signature hereon, Respondent certifies that no member of the Board of Regents of the TSUS, or the Executive Officers of the TSUS or its component institutions, has a financial interest, directly or indirectly, in the transaction that is the subject of the contract.

3.7.14 Execution of Offer: RFQ No.: 758-18-04011, RFQ For Campus Master Planning Services for Lamar State College-Port Arthur in Port Arthur, Texas

The Respondent must complete, sign and return this Execution of Offer as part of its submittal response. The Respondent's company official(s) who are authorized to commit to such a submittal must sign submittals. Failure to sign and return this form will subject the submittal to disqualification.

Respondent's Name: _____

Respondent's State of Texas Tax Account No: _____
(This 11 digit number is mandatory)

If a Corporation:

Respondent's State of Incorporation: _____

Respondent's Charter No: _____

Identify by name, each person who owns at least 25% of the Respondent's business entity:

(Name)

(Name)

(Name)

(Name)

Submitted and Certified By:

(Respondent's Name)

(Title)

(Street Address)

(Telephone Number)

(City, State, Zip Code)

(Fax Number)

(Authorized Signature)

(Type Email Address) for RFQ Notification

(Date)

SECTION 4 – FORMAT FOR STATEMENT OF QUALIFICATIONS

4.1 GENERAL INSTRUCTIONS

- 4.1.1 Qualifications shall be prepared SIMPLY AND ECONOMICALLY, providing a straightforward, CONCISE description of the respondent's ability to meet the requirements of this RFQ. Emphasis shall be on the QUALITY, completeness, clarity of content, responsiveness to the requirements, and an understanding of Owner's needs.
- 4.1.2 The Statement of Qualifications shall be a maximum of 50 printed and could be entirely adequate with considerably fewer pages. The cover, table of contents, divider sheets, HUB Subcontracting Plan, if any, and Execution of Offer do not count as printed pages.
- 4.1.3 Respondents shall carefully read the information contained in this RFQ and submit a complete response to all requirements and questions as directed. Incomplete Qualifications will be considered non-responsive and subject to rejection.
- 4.1.4 Qualifications and any other information submitted by respondents in response to this RFQ shall become the property of the Owner.
- 4.1.5 The Owner will not compensate respondents for any expenses incurred in Qualifications preparation or for any presentations that may be made, unless agreed to in writing in advance or required by law. Respondents submit Qualifications at their own risk and expense.
- 4.1.6 Qualifications that are qualified with conditional clauses, alterations, items not called for in the RFQ documents, or irregularities of any kind are subject to rejection by the Owner, at its option.
- 4.1.7 The Owner makes no representations of any kind that an award will be made as a result of this RFQ, or subsequent RFP. The Owner reserves the right to accept or reject any or all Qualifications, waive any formalities or minor technical inconsistencies, or delete any item/requirements from this RFQ when deemed to be in Owner's best interest.
- 4.1.8 Qualifications shall consist of answers to questions identified in Section 3 of the RFQ. It is not necessary to repeat the question in the Qualifications; however, it is essential to reference the question number with the corresponding answer.
- 4.1.9 Failure to comply with all requirements contained in this Request for Qualifications may result in the rejection of the Qualifications.

4.2 PAGE SIZE, BINDING, DIVIDERS, AND TABS:

- 4.2.1 Qualifications shall be printed on letter-size (8-1/2" x 11") paper and assembled with spiral-type bindings or staples. DO NOT USE METAL-RING HARD COVER BINDERS.
- 4.2.2 Additional attachments shall NOT be included with the Qualifications. Only the responses provided by the respondent to the questions identified in Section 3 of this RFQ will be used by the Owner for evaluation.

4.2.3 Separate and identify the response to each of the criteria in Section 3 of this RFQ by use of a divider sheet with an integral tab for ready reference.

4.3 TABLE OF CONTENTS:

4.3.1 Submittals shall include a “Table of Contents” and give page numbers for each part of the Qualifications.

4.4 PAGINATION:

4.4.1 Number all pages of the submittal sequentially using Arabic numerals (1, 2, 3, etc.); the Respondent is not required to number the pages of any HUB Subcontracting Plan.

END OF REQUEST FOR QUALIFICATIONS