

**REQUEST FOR QUALIFICATIONS &
PROPOSALS**

**FOR
CONSTRUCTION MANAGER-AT-RISK**

**FOR
LAMAR UNIVERSITY
BEAUMONT, TEXAS**

**MARY AND JOHN GRAY LIBRARY
FIRE SPRINKLER**

RFQ No.:

758-20-05032

Submission Date:

April 16, 2020 – 2:00 (C.D.T.)

Prepared By:

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SECTION 1 – GENERAL INFORMATION & REQUIREMENTS

- 1.1 **GENERAL INFORMATION:** The Texas State University System (“Owner”) on behalf of **Lamar University**, (“Component”) is soliciting Statements of Qualifications (“Qualifications”) and Pricing and Delivery Proposals (“Proposals”) for the selection of a Construction Manager-at-Risk firm for the **Mary and John Gray Library Fire Sprinkler project** (“Project”), on the Lamar University, Beaumont, Texas campus. This solicitation sets forth the terms, conditions, and requirements for prospective Construction Manager-at-Risk entities (“CMR” or “CMRs”) to be considered for this work. (Prospective CMRs submitting their Qualifications and Proposals in response to this solicitation are hereinafter referred to as “Respondents”.) **The Owner is requiring that the Qualifications, Proposals and HUB Commitment Letter (“HCL”) be submitted at the same time, but in three (3) separate, sealed packages.**
- 1.1.1 The evaluation of Qualifications is the first step the Owner will take in a two-step process for selecting a CMR for the Project as provided by *Texas Education Code* §51.782(e). This Request for Qualifications/Proposals (“RFQ/P”) solicitation package provides the information necessary to prepare and submit Qualifications for consideration and initial ranking by the Owner. During this first step in the selection process, Owner will evaluate and rank Respondents according to fixed evaluation criteria, considering only their qualifications and independent of any cost and compensation considerations.
- 1.1.2 In the second step of the process, Owner will open and evaluate the Proposals submitted in accordance with Section 4 of this RFQ/P. The results of the Qualifications and the Proposals evaluations will then be combined to determine the “most qualified” Respondent providing the “best value” proposition for the Owner. The Owner may select up to five (5) of the most qualified Respondents to participate in an interview with the Owner to confirm their Qualifications and Proposal and answer additional questions. The Owner will then rank the interviewed Respondents in order to determine a single most qualified Respondent providing the best value proposition to the Owner. **The Owner reserves the right to conclude the evaluations and make a best value selection without conducting interviews.**
- 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 complies with all statutes, court decisions, and opinions of the Texas Attorney General with respect to disclosure of RFQ/P information. Additionally, pursuant to the provisions of *Texas Government Code* Section 2261.253, the contract resulting from this solicitation will be posted on the Owner’s website.

- 1.3 **TYPE OF CONTRACT:** Any contract resulting from this solicitation will be in the form of the Owner's Standard Construction Management-at-Risk Contract ("Contract"), a copy of which is posted on Owner's website at: <http://www.tsus.edu/offices/finance/capital-projects.html>
- 1.3.1 The Contract should be viewed as a draft and is subject to change. The Uniform General Conditions for Construction Contracts referenced in the Contract may be viewed on the Owner's website at:
<http://www.tsus.edu/offices/finance/capital-projects.html>
- 1.4 **CLARIFICATIONS AND INTERPRETATIONS:** Discrepancies, omissions or doubts as to the meaning of RFQ/P documents shall be communicated in writing to the Owner for interpretation. Any responses to inquiries, clarifications or interpretations of this RFQ/P that materially affect or change its requirements will be issued formally by the Owner as a written addendum. All such addenda issued by the Owner before the Qualifications/Proposal are due become part of the RFQ/P. Respondents shall acknowledge receipt of and incorporate each addendum in its Qualifications/Proposal submittal. Respondents shall consider only those clarifications and interpretations that the Owner issues by addenda. Interpretations or clarifications obtained in any other form, including oral statements, will not be binding on the Owner and should not be relied on in preparing Qualifications/Proposal. It is the responsibility of all Respondents to check the status of formal addenda regularly and five (5) days before the submission deadline.
- 1.4.1 The deadline for the receipt of written questions is stated in Section 2.5.
- 1.4.2 ADDENDA AND AWARD INFORMATION, WILL BE ISSUED BY THE OWNER FOR THIS RFQ VIA THE ELECTRONIC STATE BUSINESS DAILY WEBSITE AT THE FOLLOWING LINK: <http://www.txsmartbuy.com/sp> REFERENCE "BOARD OF REGENTS/TEXAS STATE UNIVERSITY SYSTEMS-758" AND THE RFQ NUMBER PROVIDED IN THIS RFQ.
- 1.5 **SUBMISSION OF QUALIFICATIONS, PROPOSAL, AND HUB COMMITMENT LETTER:**
- 1.5.1 The Qualifications, Proposal and a HUB Commitment Letter ("HCL") must be received **at the address specified in Section 1.5.2 prior to the stated date and time deadline.** Please note that overnight deliveries such as FedEx and UPS arrive at a central campus location but are not usually delivered to the specified location until after the time deadline. Respondents are advised to use other methods of delivery or, if using an overnight delivery service, to send the responses a day earlier than usual. 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 by the Component.
- 1.5.2 **DEADLINE AND LOCATION:** The Owner will receive the Qualifications, Proposal, and HCL at the time and location described below.

April 16, 2020 – 2:00 p.m. (C.D.T.)

Stacy Elizondo, CTCD
Director of Purchasing
Otho H. Plummer Building, Room 120
4400 Martin Luther King Parkway
Beaumont, TX 77706

- 1.5.3 Submit **two (2)** electronic versions of the Qualification, and HCL documents on separate and individual disc or thumb drives in Adobe Acrobat PDF format. The individual disc or thumb drives containing the Qualifications, Proposal, and HCL must be submitted in separate, sealed packages. **Do not include the Proposal information on the electronic Qualifications files.**
- 1.5.4 Submit **one (1) original and one (1) identical copy** of the Qualifications. This is the response to Section 3 of the RFQ/P and include the Execution of Offer (see 3.10). Provide **two (2)** copies of the Proposal as identified in 4.3.2. An original signature must be included on the “Execution of Offer” document submitted with each copy and on the Pricing and Delivery Proposal. **The Proposal must be submitted in a separate, sealed package different from the Qualifications package and from the HCL.**
- 1.5.5 Submit **one (1)** original and **two (2)** copies of the HCL as a separate package to both the Qualifications and the Proposal packages as described in Section 1.13.
- 1.5.6 Qualifications and/or Proposals received after the stated official submittal deadline will be returned to the Respondent unopened. The Point-of-Contact identified in Section 1.6 will identify the official time clock at the RFQ/P submittal location identified above.
- 1.5.7 The Owner will not acknowledge or receive Qualifications, Proposals or HCL that are delivered by telephone, facsimile (fax), or electronic mail (e-mail).
- 1.5.8 Properly submitted Qualifications, Proposals, HCL and electronic media will not be returned to Respondents.
- 1.5.9 Respondent materials must be enclosed in a sealed envelope (box or container) addressed to the Point of Contact person and include the Qualification, Proposal, and HCL. The packages must clearly identify the contents, the submittal deadline, the RFQ/P title and number, and include the name and email address of the Respondent’s contact person. The Qualifications, Proposal, and HCL materials and electronic media must be packaged in separate, sealed envelopes within the sealed envelope (box or container).
- 1.5.10 The names of the submitting Respondent(s) will be read aloud immediately following the date and time published in Section 1.5.2.
- 1.5.11 Submitting Respondents’ HCLs will be reviewed for completeness prior to evaluations of Qualifications. Disqualified HCLs will be returned to the submitting Respondent after the selection and negotiation of the successful Respondent.
- 1.5.12 After the evaluation and ranking of the Qualifications, Proposals will be opened and read aloud at the time, date and location noted below:

April 28, 2020 - Time 2:00 p.m. (C.D.T.)

The Texas State University System
1st Floor Conference Room
601 Colorado Street
Austin, Texas 78701

- 1.6 **POINT-OF-CONTACT:** The Owner designates the following person as its representative and Point-of-Contact for this RFQ/P. Respondents shall restrict all contact with the Owner and direct all questions regarding this RFQ/P, including questions regarding terms and conditions, in writing to the Point-of-Contact person, **via email only**.

Kelli Morris, Supervisor of Purchasing
Lamar University, Purchasing
4400 South Martin Luther King Jr. Parkway
Beaumont, TX 77706
Email: kelli.morris@lamar.edu

- 1.7 **EVALUATION OF QUALIFICATIONS AND PROPOSAL:** The evaluation of the Qualifications and Proposals shall be based on the requirements described in this RFQ/P. All properly submitted Qualifications and Proposals will be reviewed, evaluated, and ranked by a Selection Committee approved by the Owner. The top five (5) or fewer ranked Respondents may be selected by the Owner to participate in an interview process.

1.7.1 Qualifications packages shall not include any information regarding Respondent's fees, pricing, or other compensation. Such information should be kept separate from the Qualifications and should be submitted as a separate Proposal package according to this RFQ/P.

- 1.8 **OWNER'S RESERVATION OF RIGHTS:** The Owner may evaluate the Qualifications/Proposal 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 responses to the current solicitation and reissue a completely new solicitation involving the same Project, or to simply reject any and all responses and temporarily or permanently abandon the Project. Owner makes no representations, written or oral, that it will enter into any form of agreement for any project with any Respondent to this RFQ/P and no such representation is intended or should be construed by the issuance of this RFQ/P.

- 1.9 **ACCEPTANCE OF EVALUATION METHODOLOGY:** By submitting its Qualifications, Proposal, and HCL in response to this RFQ/P, Respondent accepts the evaluation process and acknowledges and accepts that determination of the "most qualified" firm(s) will require subjective judgments by the Owner. The results of this most qualified determination will be combined with the Proposal evaluation results to determine the best value proposition for the Owner. Determinations by the Selection Committee will be subjected to routine administrative review by the Owner's executive officers but, once a selection is announced, it will not be subjected to further review.

- 1.10 **NO REIMBURSEMENT FOR COSTS:** Respondent acknowledges and accepts that any costs incurred from the Respondent's participation in this RFQ/P process shall be at the sole risk and responsibility of the Respondent. Respondents submit Qualifications, Proposals, and HCL at their own risk and expense.

- 1.11 **PRE-SUBMITTAL CONFERENCE:** In lieu of a pre-submittal meeting, a copy of the 2019 Building Condition Assessment and the Library floor plans are included in this posting to provide additional information. Respondents should note that the scope of this project is strictly limited to installation of a new sprinkler system and related infrastructure upgrades, with the potential to include a few other minor life safety improvements. All of the other deficiencies noted in the Assessment will be addressed in a separate project at a later date.

No guided tours will be conducted. While the LU campus remains open as of this writing, interested Respondents may visit the public areas of the Library on their own but are asked to limit each visit to no more than two individuals. Since the COVID-19 situation remains fluid, Respondents are encouraged to continuously check the LU website before visiting to ensure that the campus and the Library building remain open.

- 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, Proposal and HCL.
- 1.13 **HISTORICALLY UNDERUTILIZED BUSINESSES SUBMITTAL REQUIREMENTS:** It is the policy of the Owner and each of its component institutions, to promote and encourage contracting and subcontracting opportunities for Historically Underutilized Businesses (“HUB”) in all contracts. Accordingly, specific plans and representations by Respondents that appear to facilitate the State’s commitment to supporting HUB enterprises are required in the selection process. Failure to submit specific plans and representations regarding HUB utilization, or failure to address the subject at all, will be interpreted by the Selection Committee as an intention not to support the program and will disqualify the Respondent. A HUB Subcontracting Plan (“HSP”) is not required by respondents as part of the RFQ/P submission. The HSP will be required by the selected team only upon preparation of a Guaranteed Maximum Price (“GMP”). Submit a Letter of HUB Commitment to describe how your firm will participate and demonstrate a good faith effort in achieving the Owner’s HUB goals.
- 1.13.1 An HCL template is attached to this solicitation as Attachment 1.
- 1.13.2 Submit one (1) original and one (1) identical copy of the HCL **in a separate attachment apart from the submittal of Qualifications and Proposal** as stated in Section 1.5.5 of this RFQ/P.
- 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, *Texas Tax Code*, 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 the Owner. 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 (*Texas Tax Code* Chapter 171). The Respondent agrees that each subcontractor and supplier under contract will also provide a certification of franchise tax status.
- 1.17 REQUIRED NOTICES OF WORKERS' COMPENSATION INSURANCE COVERAGE: The Texas Workers' Compensation Commission has adopted a rule, Texas Administrative Code Title 28, Part 2, Chapter 110, Subchapter B, Rule 110.110, relating to REPORTING REQUIREMENTS FOR BUILDING OR CONSTRUCTION PROJECTS FOR GOVERNMENTAL ENTITIES. The rule implements sec. 406.096, *Texas Labor Code*, which requires workers' compensation insurance coverage for all persons providing services on a building or construction project for a governmental entity. The requirements of the rule are set forth in the Uniform General and Supplementary General Conditions for The Texas State University System Building Construction Contracts.
- 1.18 INSURANCE REQUIREMENTS: Bonds and insurance requirements are provided in Article 5 of the Uniform General Conditions and in the Owner's Standard Contractor Contract as denoted in Article 1.3 of this RFQ/P.
- 1.19 PREVAILING MINIMUM WAGE RATE DETERMINATION: Respondents are advised that the Texas Prevailing Wage Law will be administered. The penalty for violation of prevailing wage rates has been increased from Ten Dollars (\$10.00) per underpaid worker per day or portion thereof to Sixty Dollars (\$60.00). The Prevailing Wage Rate for Jefferson County, Texas, can be found on the following website:
<https://beta.sam.gov/>
- 1.20 DELINQUENCY IN PAYING CHILD SUPPORT: 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.
- 1.21 NONDISCRIMINATION: In their execution of this agreement, Respondent, consultants, their respective employees, and others acting by or through them shall comply with all federal and state policies and laws prohibiting discrimination, harassment, and sexual misconduct. Any breach of this covenant may result in termination of this agreement.
- 1.22 NON-BOYCOTT VERIFICATION: Pursuant to Section 2270.002 of the *Texas Government Code*, Respondent certifies that either (i) it meets an exemption criteria under Section 2270.002; or (ii) it does not boycott Israel and will not boycott Israel during the term of the contract resulting from this solicitation. Respondent shall state any facts that make it exempt from the boycott certification in its response.
- 1.23 CYBERSECURITY TRAINING PROGRAM: Pursuant to Section 2054.5192, *Texas Government Code*, Respondent and its subcontractors, officers, and employees, who have access to Owner's computer system, must complete a cybersecurity training program certified under Section 2054.519, *Texas Government Code* as selected by the Owner. The cybersecurity training program must be completed by Respondent and its subcontractors, officers, and employees, who have access to Owner's computer system, during the term and any renewal period of this Agreement. Contractor shall verify in writing completion of the program to the Owner within the first thirty (30) calendar days of the term and any renewal period of this Agreement.

SECTION 2 – EXECUTIVE SUMMARY

- 2.1 **HISTORICAL BACKGROUND:** Founded in 1923 as South Park Junior College, Lamar University has grown from its original 125 student enrollment to more than 15,000 on campus in Beaumont, Texas, and online. In honor of the second president of the Republic of Texas, also known as the “Father of Education” in the state, the school was renamed to Lamar College in 1932 and finally Lamar University (LU) in 1970, offering more than 100 programs of study at the undergraduate, graduate and doctoral levels. As a member of The Texas State University System, LU is among the fastest growing universities in the State of Texas, located on 286 acres, 90 miles east of Houston and 25 miles west of Louisiana. LU is accredited by the Commission on Colleges of the Southern Association of Colleges of Schools with several of the five academic colleges and individual programs holding specialized certifications for quality and expertise.
- 2.2 **MISSION STATEMENT:** We are a diverse and accessible global university for life-long learners with a passion for broad-based community engagement. As a vital contributor to the socioeconomic wellbeing and resilience of the Gulf Coast Region, our expertise is recognized both locally and beyond.
- 2.3 **PROJECT DESCRIPTION, SCOPE AND BUDGET:** LU is seeking a qualified Respondent for the addition of a fire sprinkler system and correction of other life safety deficiencies in the Mary and John Gray Library (“Library”).

The Library, built in 1976, retains most of its original major building systems which are near or past the end of their useful life. The building is an 8-story steel structure with masonry exterior and encompasses approximately 174,000 SF. The building has undergone several renovations over the years, including consolidation of book stacks on floors 2-5, conversion of the 6th floor to office/meeting space, development of a student computer lab on the 7th floor, and most recently, renovation of the 1st floor lobby to create a student lounge and a Starbucks café. Additionally, the Library houses significant archival collections, library administrative offices and the entire 8th floor is the main event space for the campus. In 2008, structural foundation repairs were undertaken on the west side of the library due to settlement. At that time, additional structural steel bracing was added to the primary building structure.

LU will be seeking legislative appropriations in 2021 for a major and comprehensive rehabilitation and renovation of the entire Library but has decided to move forward at this time with the addition of a sprinkler system throughout the facility. In addition to providing a standard wet-pipe sprinkler system, consideration will be given to alternative fire suppression systems for the sensitive archival collections. By necessity, the project will entail upgrades to the primary electrical systems, creation of a pump room and other required support spaces, ceiling replacement, some lighting replacement and a new generator in a new location. The Library will remain occupied and open for business during construction. Phasing of the work is anticipated and will be vetted and finalized during the design phase.

The Construction Cost Limitation for this scope of work is \$6,200,000.

- 2.4 **FACILITY PROGRAM:** A complete building condition assessment was undertaken in early 2019 and the report is attached as Attachment 2. The floor plans are included as Attachment 3.

2.5 **PROJECT PLANNING SCHEDULE:** Key Project planning schedule milestones are:

2.5.1	Owner publishes RFQ/P for CMR Services	March 26, 2020
2.5.2	Pre-Proposal Conference	See Section 1.11
2.5.3	RFQ/P submittal of questions deadline (12:00 p.m.).....	April 3, 2020
2.5.4	Deadline for submittal of Qualifications, Proposal and HCL.....	April 16, 2020
2.5.5	Proposals read aloud at Owner’s Office	April 28, 2020
2.5.6	Owner selects short listed Respondents for interviews (if required)	April 29, 2020
2.5.7	Interview of shortlisted Respondent (if required)	May 6, 2020
2.5.8	Schematic Design Begins	May 8, 2020
2.5.9	Owner selects CMR	May 11, 2020
2.5.10	Execute CMR Contract	May 18, 2020
2.5.11	Notice to Proceed for Pre-Construction Services.....	May 18, 2020
2.5.12	A/E completes Schematic Design	July 3, 2020
2.5.13	Design Development (DD) begins	July 6, 2020
2.5.14	A/E completes DD Binder for Board of Regents.....	November 6, 2020
2.5.15	Board of Regents approval of DD Binder.....	November 19, 2020
2.5.16	Owner approves GMP.....	December 2, 2020
2.5.17	Notice to Proceed for Construction Phase issued	December 9, 2020
2.5.18	A/E completes Construction Documents	December 14, 2020
2.5.19	Owner accepts Substantial Completion of Construction	March 8, 2022
2.5.20	Final Completion	April 12, 2022

The schedule of events presented above represent a basic timeline for the project. A final project timeline will be developed with the Owner at a later time. The Owner can be expected to work with the Architect/Engineer (“A/E”) and the CMR to validate and improve on this initial schedule.

2.6 **OWNER’S SPECIAL CONDITIONS:** The Owner requires full compliance with specification Division 0: Contract Requirements and Division 1: General Requirements, which will be integrated into the specifications for the project and become a part of the contract. These specifications sections shall be a part of the CMR Contract that will be signed. They are available for review at the Owner’s website at: <https://www.tsus.edu/offices/finance/capital-projects.html>

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 responding to all questions in Section 3 formatted as directed in Section 5. Incomplete Qualifications will be considered non-responsive and will be subject to rejection.

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 Respondent’s unique qualifications as they pertain to this particular Project.
- 3.1.2 Provide a statement on the availability and commitment of the Respondent, its principal(s) and assigned professionals to undertake the Project.

3.2 CRITERION TWO: RESPONDENT'S ABILITY TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES:

- 3.2.1 Provide the following information on your firm for the past **five** (5) fiscal years:
 - 3.2.1.1 Volume:
 - 3.2.1.1.1 Annual number, value and percent change of contracts in Texas per year
 - 3.2.1.1.2 Annual number, value and percent change of contracts nationally per year
 - 3.2.1.2 Revenues: Annual revenue totals and percent change per year
 - 3.2.1.3 Bonding:
 - 3.2.1.3.1 Total bonding capacity
 - 3.2.1.3.2 Available bonding capacity and current backlog
- 3.2.2 Attach a letter of intent from a surety company indicating ability to bond Respondent for the entire construction cost of the Project. The surety shall acknowledge that the Respondent may be bonded for each stage/phase of the Project (if applicable), with a potential maximum construction cost of **Six Million Two Hundred Thousand Dollars (\$6,200,000)**. Bonding requirements are set forth in Article 17 of the Contract and the Uniform General Conditions for Construction Contracts.
- 3.2.3 State whether Respondent is currently for sale or involved in any transaction to expand or to become acquired by another business entity. If so, please explain the impact both in organization and company direction.
- 3.2.4 Provide details of any past or pending litigation, or claims filed, against Respondent that may affect its performance under a Contract with the Owner.
- 3.2.5 State whether Respondent is currently in default on any loan agreement or financing agreement with any bank, financial institution, or other entity. If so, specify date(s), details, circumstances, and prospects for resolution.
- 3.2.6 State whether Respondent has ever failed to complete any work which it was awarded.
- 3.2.7 Declare if any relationship exists by relative, business associate, capital funding agreement, or any other such kinship, between Respondent's firm and any Owner employee, officer or Regent. If so, please explain.

3.3 CRITERION THREE: QUALIFICATIONS OF CONSTRUCTION MANAGER-AT-RISK TEAM AND THE EXECUTION OF SERVICES:

- 3.3.1 Describe Respondent's management philosophy for the CMR construction delivery method.
- 3.3.2 Provide resumes of the Respondent's team that will be directly involved in the Project, including their experience with similar projects, the number of years with the Respondent, and their city of residence.
- 3.3.3 Identify any consultants that are included as part of the proposed team, their role related experience for this Project. List projects for which the consultant(s) has worked with the Respondent.

- 3.3.4 Describe, in graphic and written form, the proposed Project assignments and lines of authority and communication for each team member to be directly involved in the Project. Indicate the estimated percent of time these team members will be involved in the Project for Pre-Construction, Construction, Close-Out and Warranty services.
 - 3.3.5 Describe what Respondent perceives as the critical Pre-Construction issues for this Project.
 - 3.3.6 Describe Respondent's procedures, objectives and personnel responsible for reviewing design and Construction Documents and for providing feedback regarding cost, schedule and constructability to the A/E and the Owner on this Project.
 - 3.3.7 Describe Respondent's constructability program for this Project and how it will be implemented.
 - 3.3.8 Describe what Respondent perceives are the critical construction issues for this Project.
- 3.4 CRITERION FOUR: RESPONDENT'S PAST PERFORMANCE ON REPRESENTATIVE CONSTRUCTION MANAGER-AT-RISK PROJECTS:
- 3.4.1 Identify and describe the proposed team's past experience for providing CMR services that are **MOST RELATED TO THIS PROJECT** within the last five (5) years. Provide not less than three (3) but not more than five (5) examples. Project team personnel who are listed in Article 3.3.2 are preferred for the projects listed in 3.4. List the projects in order of priority, with the most relevant project listed first. Provide the following information for each project listed:
 - 3.4.1.1 Project name, location, contract delivery method, and description
 - 3.4.1.2 Color images (photographic or machine reproductions)
 - 3.4.1.3 Construction cost at Schematic Design, Construction cost at Design Development, Construction cost at fifty percent (50%) Construction Documents, Construction cost at one hundred percent (100%) Construction Documents, and GMP amount
 - 3.4.1.4 Final construction cost
 - 3.4.1.5 Final project size in gross square feet
 - 3.4.1.6 Type of construction (new, renovation, or expansion)
 - 3.4.1.7 Actual Notice to Proceed date for Pre-Construction Services
 - 3.4.1.8 Original Notice to Proceed, Substantial Completion, and Final Payment dates for Construction Services
 - 3.4.1.9 Actual Notice to Proceed, Substantial Completion, and Final Payment dates for Construction Services
 - 3.4.1.10 Name of project manager (individual responsible to the owner for the overall success of the project)
 - 3.4.1.11 Name of project superintendent(s) (individual responsible for coordinating the day-to-day work)
 - 3.4.1.12 Names of mechanical, plumbing and electrical subcontractors
 - 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 design and construction phases of the project, including telephone number and email address

3.4.2.2 The A/E's name and representative who served as the day-to-day liaison during the construction phase of the project, including telephone number and email address

3.4.2.3 Length of business relationship with the owner

References shall be considered relevant based on specific project participation and experience with the Respondent. The Owner reserves the right to contact any other references at any time during the RFQ/P process.

3.4.3 Identify a maximum of three (3) completed projects, of any type, for which Respondent has received an award for construction excellence from a recognized organization and provide descriptive information for each.

3.5 CRITERION FIVE: RESPONDENT'S ABILITY TO ESTABLISH BUDGETS AND CONTROL COSTS ON PAST PROJECTS:

3.5.1 Describe Respondent's project estimating system for developing the GMP Proposal and how Respondent will monitor and track the costs for this Project.

3.5.2 Describe Respondent's cost control methods during construction and how Respondent procures subcontracts, confirms scope, amounts, and ensures proper payment.

3.5.3 Describe Respondent's methodology for working with the the Owner, Project A/E and their consultants to deliver a GMP and to maintain the GMP throughout the design and construction process including any processes for establishing, tracking, and reporting during the development of the GMP.

3.5.4 If the Owner intends to accept a GMP prior to completion of Construction Documents; describe: 1) Respondent's process for ensuring that the design documents provide the information necessary to arrive at a complete GMP, including all Owner requirements with reasonable contingencies, and, 2) Respondent's process for subsequently ensuring that the one hundred percent (100%) Construction Documents align with the project scope in the previously accepted GMP proposal documents.

3.5.5 Describe Respondent's philosophy regarding payment and performance bonds required by the Owner on this project, and the bonds Respondent requires of subcontractors including SUBGUARD.

3.6 CRITERION SIX: RESPONDENT'S ABILITY TO MEET SCHEDULES:

3.6.1 Describe how Respondent will develop, maintain and update the project schedule during design and construction. Identify the specific resources (i.e. personnel, hardware, software, etc.) to be used on this Project.

3.6.2 Describe Respondent's approach to assuring timely completion of this Project, including methods for schedule recovery, if necessary. From any three (3) of the projects listed in response to Section 3.4 of this RFQ/P, provide examples of how these techniques were used, including specific scheduling challenges/requirements and actual solutions.

3.6.3 Describe Respondent's experience with Critical Path Method ("CPM") scheduling. From any of three (3) of the projects listed in response to Section 3.4 of this RFQ/P, provide a sample of the monthly schedule reports, including identified milestones and schedule recovery plans.

- 3.6.4 Provide a simple CPM Milestone schedule on how Respondent perceives this Project could be built. Identify specific critical process, phases, milestones, approvals, and procurements anticipated. Clearly identify the ten percent (10%) total project float that will be required during the Construction Phase.
- 3.6.5 Understanding the schedule limitations, provide an analysis of the Owner's project planning schedule in Section 2.5 of this RFQ/P.

3.7 CRITERION SEVEN: RESPONDENT'S KNOWLEDGE OF CURRENT CONSTRUCTION METHODOLOGIES, TECHNOLOGIES, QUALITY AND BEST PRACTICES:

- 3.7.1 Describe Respondent's quality assurance program. Explain the methods used to ensure quality control during the Construction phase of a project. Provide specific examples of how these techniques or procedures were used from the three (3) projects most related to this project and listed in response to Section 3.4 of this RFQ/P.
- 3.7.2 Describe Respondent's procedures for implementing industry's "best practices" as defined by the Construction Industry Institute and similar organizations for:
 - 3.7.2.1 Establishing and tracking project objectives
 - 3.7.2.2 Using project scope definition resources (i.e. Project Definitions Rating Index (PDRI)) in order to obtain complete and accurate design and construction documents from the A/E
 - 3.7.2.3 Partnering
 - 3.7.2.4 Cost tracking
 - 3.7.2.5 Change (order) management systems
- 3.7.3 Provide an example of a successful constructability program used to maintain project budgets without sacrificing quality.
- 3.7.4 Describe how Respondent's quality control team will measure the quality of construction and commissioning performed by all trades but in particular by mechanical and electrical subcontractors and how Respondent will address non-conforming work.
- 3.7.5 Describe Respondent's implementation of a quality control process for this Project during the Design Development stage through completion of Construction Documents stage.
- 3.7.6 As a CMR, describe Respondent's relationship with the local subcontracting community.
- 3.7.7 Describe Respondent's plan for meeting or improving the Owner's proposed schedule for design and/or construction. If Respondent proposes to improve the schedule, describe the impact on quality of services, materials or workmanship that may occur.

3.8 CRITERION EIGHT: RESPONDENT'S ABILITY TO MANAGE CONSTRUCTION SAFETY RISKS:

- 3.8.1 Briefly describe Respondent's approach for anticipating, recognizing and controlling safety risks and note the safety resources that Respondent provides for each project's safety program.

- 3.8.2 Identify the proposed safety management team members for construction services. Include their previous titles, duties, city(s) of residence, experience and expertise; also, their intended percent of monthly involvement and duration for this Project. Include all details necessary to demonstrate the credentials required by project safety specifications.
- 3.8.3 Describe the methodology, including any technology or other assets that Respondent intends to use for prevention and/or control of incidents and insurance claims on this Project.
- 3.8.4 Describe the safety and insurance claims history information and weighting that Respondent includes in the submission and award process for “best value” subcontracts.
- 3.8.5 For all projects that Respondent has managed (or co-managed) in the past five (5) years, list and describe all events or incidents that have reached any of the following levels of severity:
 - 3.8.5.1 Any occupational illness or injury that resulted in death or total and permanent disability
 - 3.8.5.2 Three (3) occupational illnesses or injuries that resulted in hospital admittances
 - 3.8.5.3 Explosion, fire or water damage that claimed five percent (5%) of the project’s construction value
 - 3.8.5.4 Failure, collapse, or overturning of a scaffold, excavation, crane or motorized mobile equipment when workers were present at the project
- 3.8.6 Identify the Respondent’s Experience Modification Rate (“EMR”) for the three (3) most recent annual insurance-year ratings.
- 3.8.7 Identify Respondent’s annual OSHA Recordable Incident Rates (“RIR”) for all work performed during the past three (3) calendar years.
- 3.8.8 Identify Respondent’s annual OSHA Lost Workday Case Incident Rates (“LWCIR”) for all work performed during the past three (3) calendar years.
- 3.9 **CRITERION NINE: RESPONDENT’S WARRANTY AND SERVICE SUPPORT PROGRAM FOR THIS PROJECT:**
 - 3.9.1 Describe Respondent’s warranty service support philosophy and warranty service implementation plan for this Project.
 - 3.9.2 Describe how Respondent will measure the quality of service provided to the Owner for this Project.
 - 3.9.3 Provide reference letters from three (3) owners identified in Sections 3.4 of this RFQ/P, that describe Respondent’s response to, and performance on, warranty services AFTER substantial completion.
- 3.10 **CRITERION TEN: 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.

- 3.10.1 By signature hereon, Respondent acknowledges and agrees that (1) this RFQ/P is a solicitation for Qualifications and Proposal and is not a contract or an offer to contract; (2) the submission of Qualifications and Proposal by Respondent in response to this RFQ/P 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/P; 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/P.
- 3.10.2 By signature hereon, Respondent offers and agrees to furnish to the Owner products and/or services more particularly described in it Qualifications and to comply with all terms and conditions and requirements set forth in the RFQ/P documents and contained herein.
- 3.10.3 By signature hereon, Respondent affirms that it has neither given, nor intend 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 and Proposal.
- 3.10.4 By signature hereon, Respondent affirms that it is a "taxable entity" under Section 171.0002 of the *Texas Tax Code* and certifies that it is not currently delinquent in the payment of any Franchise Taxes due under Chapter 171, *Texas Tax Code*.
- 3.10.5 By signature hereon, Respondent hereby certifies that neither the Respondent nor anyone acting on behalf of Respondent 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. Respondent further certifies that it has not communicated directly or indirectly the Qualifications and Proposal submitted to any competitor or any other person engaged in a similar line of business.
- 3.10.6 By signature hereon, Respondent represents and warrants that:
- 3.10.6.1 Respondent is a reputable company regularly engaged in providing products and/or services necessary to meet the terms, conditions and requirements of the RFQ/P;
 - 3.10.6.2 Respondent has the necessary experience, knowledge, abilities, skills, and resources to satisfactorily perform the terms, conditions and requirements of the RFQ/P;

- 3.10.6.3 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;
 - 3.10.6.4 Respondent understands the requirements and specifications set forth in this RFQ/P and the terms and conditions set forth in the Contract under which Respondent will be required to operate;
 - 3.10.6.5 Respondent, if selected by the Owner, will maintain insurance as required by the Contract; and
 - 3.10.6.6 All statements, information and representations prepared and submitted in response to this RFQ/P 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.
- 3.10.7 By signature hereon, Respondent certifies that the individual signing this document and the documents made part of the RFQ/P 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.
- 3.10.8 By signature hereon, Respondent certifies that if a Texas address is shown as the address of the Respondent, Respondent qualifies as a Texas Resident bidder as defined in *Texas Government Code* Section 2252.001(4).
- 3.10.9 By signature hereon, Respondent certifies as follows:
- 3.10.9.1 "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."
 - 3.10.9.2 "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."
 - 3.10.9.3 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.
- 3.10.10 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 Owner or any component, or Respondent has not been an employee of Owner or any component within the immediate twelve (12) months prior to Respondent's RFQ/P response. All such disclosures will be subject to administrative review and approval prior to the Owner entering into any contract with Respondent.

- 3.10.11 By signature hereon, Respondent affirms that no compensation has been received for participation in the preparation of the specifications for this RFQ/P. (ref. Section 2155.004 *Texas Government Code*).
- 3.10.12 Respondent represents and warrants that all articles and services quoted in response to this RFQ/P meet or exceed the safety standards established and promulgated under the Federal Occupational Safety and Health Law (Public Law 91-596) and its regulations in effect or proposed as of the date of this solicitation.
- 3.10.13 By signature hereon, Respondent signifies his compliance with all federal laws and regulations pertaining to Equal Employment Opportunities and Affirmative Action.
- 3.10.14 By signature hereon, Respondent agrees, to the extent provided by Section 2254.0031 of *Texas Government Code*, to defend, indemnify, and hold harmless the State of Texas, all of its officers, agents and employees from and against all claims, actions, suits, demands, proceedings, costs, damages, and liabilities, arising out of, connected with, or resulting from any acts or omissions of Respondent or any agent, employee, subcontractor, or supplier of Respondent in the execution or performance of any agreements or other contractual arrangements which may result from the submission of Respondent's Qualifications.
- 3.10.15 By signature hereon, Respondent agrees to complete a Cybersecurity Training Program. Pursuant to Section 2054.5192, *Texas Government Code*, Respondent and its subcontractors, officers, and employees, who have access to Owner's computer system, must complete a cybersecurity training program certified under Section 2054.519, *Texas Government Code* as selected by the Owner. The cybersecurity training program must be completed by Respondent and its subcontractors, officers, and employees, who have access to Owner's computer system, during the term and any renewal period of this Agreement. Contractor shall verify in writing completion of the program to the Owner within the first thirty (30) calendar days of the term and any renewal period of this Agreement.
- 3.10.16 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.
- 3.10.17 By signature hereon, Respondent certifies that no member of the Board of Regents of the Texas State University System, or the Executive Officers of the Owner or its component institutions, has a financial interest, directly or indirectly, in the transaction that is the subject of the contract, and that no member of the Board of Regents has a "substantial interest" (as that term is defined in Section 51.923 of the *Texas Education Code*) in the Respondent.

(Execution of Offer on the next page)

3.10.18 Execution of Offer: RFQ/P No. 758-20-05032 – RFQ/P for Construction Manager-At-Risk for Mary and John Gray Library Fire Sprinkler at Lamar University.

The Respondent must complete, sign and return this Execution of Offer as part of their Qualifications 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 disqualify the submittal.

Respondent’s Company Name: _____

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

If a Corporation:

Respondent’s State of Incorporation: _____

Respondent’s Charter No: _____

Identify each person who owns at least 10% of the Respondent’s business entity by name:

(Name)

(Name)

(Name)

(Name)

Submitted and Certified By:

(Respondent’s Name)

(Title)

(Street Address)

(Telephone Number)

(City, State, Zip Code)

(Fax Number)

(Authorized Signature)

(Date)

(Email address for RFQ/P Notification)

END OF QUALIFICATIONS PACKAGE.
SUBMIT THE ABOVE SEPARATELY FROM THE HUB COMMITMENT LETTER,
ELECTRONIC MEDIA AND THE PRICING AND DELIVERY PROPOSAL IN A SEALED
PACKAGE

SECTION 4 – PRICING AND DELIVERY PROPOSAL

- 4.1 **GENERAL INFORMATION:** This Proposal is the second step in a two-step process for selecting a CMR for the Project as provided by *Texas Education Code* §51.782(e). **The Proposal package shall accompany the Qualifications package, and HCL but the three documents shall be submitted in separate, sealed packaging and delivered at the same time.** Include the name and email address of the Respondent’s contact person on all envelopes. Mark the exterior of all envelopes to identify whether the Proposal, Qualifications, or HCL are contained therein. The Owner may conduct interviews with up to five (5) of the most qualified Respondents in order to finalize the best value rankings; however, Owner also reserves the right to select the best value Respondent without interviews. Observe the following guidelines:
- 4.1.1 Submit **two (2)** identical copies of the Proposal.
 - 4.1.2 Proposals received after the deadline will be returned to the Respondent unopened.
 - 4.1.3 The Owner will not acknowledge or receive Proposals that are delivered by telephone, facsimile (fax), or electronic mail (e-mail).
 - 4.1.4 Properly submitted Proposals will not be returned to Respondents.
 - 4.1.5 Proposal 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/P number, and the name and return address of the Respondent.
 - 4.1.6 Properly submitted Proposals will be opened publicly and the names of the Respondents and pricing information will be read aloud at the time, date and location identified in Section 1.5.12 of this RFQ/P.
- 4.2 **EVALUATION OF PROPOSAL:** The evaluation of the Proposal shall be based on the Respondent’s actual Pre-Construction Phase Fee, Construction Phase Fee, General Conditions Costs and other requirements as described in this RFQ/P.
- 4.3 **REQUIREMENTS FOR PROPOSAL:** Respondents shall carefully read the information contained in the following criteria and submit a complete response. Incomplete responses will be considered non-responsive.
- 4.3.1 **CRITERION ONE: RESPONDENT’S SAFETY MANAGEMENT PROGRAM FOR THIS PROJECT:** Identify (in separate figures) the percentage of the Construction Cost that is to be included in the Project General Conditions for each of the following pieces of the project safety program:
 - 4.3.1.1 on-site safety education & training
 - 4.3.1.2 personal protective equipment, signage, and hardware
 - 4.3.1.3 first aid and emergency response equipment
 - 4.3.1.4 safety incentives and recognition
 - 4.3.1.5 contingency for post incident drug testing and incident management costs
 - 4.3.1.6 miscellaneous other safety-related expenses (NOTE: DO NOT LIST items that will appear elsewhere in the Project’s General Conditions; office equipment, salaries, etc.)
 - 4.3.2 **CRITERION TWO: RESPONDENT’S PRICING AND DELIVERY PROPOSAL:** Complete the attached “Pricing and Delivery Proposal” form.

RESPONDENT’S PRICING AND DELIVERY PROPOSAL

Proposal of: _____
(Respondent’s Company Name)

To: Brian McCall, Ph.D.
Chancellor
Texas State University System
Austin, Texas

Project Name: **RFQ/P for Construction Manager-At-Risk for Mary and John Gray Library
Fire Sprinkler at Lamar University**

RFQ/P No.: **758-20-05032**

Having carefully examined all the requirements of this RFQ/P, the proposed form of Contract, and any attachments to them, the undersigned proposes to furnish Construction Manager-At-Risk services as required for this Project on the following terms:

4.3.2.1 ESTABLISHMENT OF THE CONSTRUCTION MANAGER’S BUDGET LIMITATION: The Owner has established a Construction Cost Limitation (CCL) amount for the project of **Six Million Two Hundred Thousand Dollars (\$6,200,000)** which includes a construction manager contingency commensurate with the current stage of project development (project programmed, but design not started). This is the Owner’s current target for the Guaranteed Maximum Price (“GMP”) for the project.

4.3.2.2 RESPONDENT’S PRE-CONSTRUCTION PHASE FEE: The Respondent shall identify a Pre-Construction Phase Fee, pursuant to Article 5 of the Contract.

\$ _____

4.3.2.3 RESPONDENT’S CONSTRUCTION PHASE FEE: Using the Anticipated GMP identified above, the Respondent shall identify a Construction Phase Fee percentage, pursuant to Article 14 of the Agreement:

Respondent’s Proposed Construction Phase Fee **Percentage**: _____ %

Respondent’s Equivalent Estimated Construction Phase Fee **Amount** (*percentage times the anticipated GMP above*): \$ _____

4.3.2.4 RESPONDENT’S NOT-TO-EXCEED GENERAL CONDITIONS COSTS: Using the Project Planning Schedule, the Respondent shall identify a General Conditions not-to-exceed percentage amount as defined by Article 13 and Exhibit C of the Agreement and the Owner’s Uniform General Conditions for Construction Contracts.

Respondent's Proposed General Conditions **Percentage:** _____ %

Respondent's Equivalent Estimated General Conditions **Amount** (percentage times the anticipated GMP above): \$ _____

Additional fees or services required by any business policies adopted by a Respondent that are not specifically identified in Attachment 4 (attached) shall be included in the fee proposed in Article 4.3.2.3.

Total Construction Duration (Notice to Proceed 12/09/2020 for Construction to Substantial Completion 03/08/2020): 454 Calendar Days / 15.13 Months.

4.3.2.5 **LIQUIDATED DAMAGES:** Liquidated Damages as defined by the Contract are set at: Seven Hundred Fifty Dollars (\$750) per calendar day.

4.3.2.6 Using the not-to-exceed General Conditions costs identified above, the Respondent shall identify all project management, bonds, insurance, field office and office supply costs for the Project as listed below:

Allowable General Condition Line Item Category		Estimated Total Cost	
On-Site Project Management Staff	subtotal		
Bonds and Insurance	subtotal	\$	
Temporary Project Utilities	subtotal	\$	
Field Offices & Office Supplies	subtotal	\$	
Estimated On-Site Project Management Staff and Rates			
Position	Quantity	Months	Monthly Salary Rate
Project Executive			\$
Project Manager			\$
Superintendent(s)			\$
Assistant Superintendent(s)			\$
Project Engineer/Expedito(r)s			\$
Field/Office Engineer(s)			\$
Field Office Support Staff			\$
CPM Scheduler			\$
Safety Coordinator/Assistant(s)			\$
TOTAL:			\$

*WHEN THE DESIGNATED POSITION IS UTILIZED LESS THAN FULL TIME FOR THE PROJECT, THE QUANTITY SHALL BE REFLECTED AS A PERCENTAGE OF THE POSITION'S TIME ON THE PROJECT (I.E. 50% TIME UTILIZATION ON THE PROJECT WOULD REFLECT A QUANTITY OF ONE HALF).

4.3.2.7 ADDENDA: Receipt is hereby acknowledged of the following addenda to this RFQ/P (initial if applicable).

Addendum	Initial	Addendum	Initial
No. 1		No. 4	
No. 2		No. 5	
No. 3		No. 6	

4.3.2.8 AWARD OF CONTRACT AND COMMENCEMENT OF SERVICES: The undersigned agrees to execute the Contract after notification that the Respondent has been identified by the Owner as the Respondent with the “best value” Proposal, and to commence services on or before the commencement date stated by the Owner in a Notice to Proceed. The Owner reserves the right to accept or reject any and all Proposals and to waive Proposal irregularities. Proposals shall be valid and not withdrawn for a period of ninety (90) calendar days from the date of opening thereof.

Respectfully Submitted and Certified By:

(Respondent’s Printed Name)

(Title)

(Authorized Signature)

(Date)

State of Texas Tax Account No. _____

**SUBMIT THE ABOVE SEPARATELY FROM THE HUB COMMITMENT LETTER
AND THE QUALIFICATIONS SUBMITTAL IN A SEALED PACKAGE**

SECTION 5 – FORMAT FOR STATEMENT OF QUALIFICATIONS AND PROPOSAL

5.1 GENERAL INSTRUCTIONS:

- 5.1.1 Qualifications and Proposal shall be prepared SIMPLY AND ECONOMICALLY, providing a straightforward, CONCISE description of the Respondent's ability to meet the requirements of this RFQ/P. Emphasis shall be on the QUALITY, completeness, clarity of content, responsiveness to the requirements, and an understanding of Owner's needs.
- 5.1.2 Qualifications and Proposal shall each be a MAXIMUM OF FIFTY (50) PRINTED PAGES. The cover, table of contents, divider sheets, HCL (Section 1.13), and Execution of Offer do not count as printed pages.
- 5.1.3 Respondents shall carefully read the information contained in this RFQ/P and submit a complete response to all requirements and questions as directed. Incomplete Qualifications, Proposal and/or HCL will be considered non-responsive and subject to rejection.
- 5.1.4 Qualifications, Proposal and/or HCL and any other information submitted by Respondents in response to this RFQ/P shall become the property of the Owner.
- 5.1.5 Qualifications, Proposal and/or HCL that are qualified with conditional clauses, alterations, and/or items not called for in the RFQ/P documents, or irregularities of any kind are subject to rejection by the Owner, at its option.
- 5.1.6 The Owner makes no representations of any kind that an award will be made as a result of this RFQ/P. The Owner reserves the right to accept or reject any or all Qualifications, Proposals, and/or HCLs, waive any formalities or minor technical inconsistencies, or delete any item/requirements from this RFQ/P when deemed to be in Owner's best interest.
- 5.1.7 Qualifications shall consist of responses to questions identified in Section 3 of the RFQ/P. The Proposal shall consist of responses to questions identified in Section 4 of the RFQ/P. It is not necessary to repeat the question in Sections 3 and 4; however, it is essential to reference the question numbers with the corresponding response.
- 5.1.8 Failure to comply with all requirements contained in this RFQ/P may result in the rejection of the Qualifications, Proposal, and/or HCL.

5.2 PAGE SIZE, BINDING, DIVIDERS AND TABS:

- 5.2.1 Qualifications, Proposal and HCL 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.
- 5.2.2 Additional attachments shall NOT be included with the Qualifications, Proposal or HCL. Only the responses provided by the Respondent to the questions identified in Sections 3 and 4 of this RFQ/P will be used by the Owner for evaluation.
- 5.2.3 Separate and identify each criterion response to Sections 3 and 4 of this RFQ/P by use of a divider sheet with an integral tab for ready reference.

- 5.3 TABLE OF CONTENTS: Submittals shall include a “Table of Contents” with page numbers for each page of each submittal (Qualifications and Proposal).
- 5.4 PAGINATION: Number all pages of the submittal sequentially using Arabic numbers (1, 2, 3, etc.)
- 5.5 SUBMISSION PACKAGING: The Owner is requiring that the Qualifications, Proposal and HCL be submitted at the same time, but in separate, sealed packages.

- **END OF REQUEST FOR QUALIFICATIONS / PROPOSALS** -

Addendum No. 1

Issued April 3, 2020

REQUEST FOR QUALIFICATIONS & PROPOSALS

FOR CONSTRUCTION MANAGER-AT-RISK

FOR LAMAR UNIVERSITY BEAUMONT, TEXAS

MARY AND JOHN GRAY LIBRARY FIRE SPRINKLER

RFQ No.:

758-20-05032

Notice To All Respondents:

The following is Addendum No. 1 to the Request for Qualifications and Proposals (RFQ/P)
ESBD Posting No. 758-20-05032 was posted on March 26, 2020

Prepared By:

Peter Maass, Director of Capital Projects Administration
The Texas State University System
601 Colorado Street
Austin, TX 78701 - 512-463-1808
Peter.Maass@tsus.edu

I. **GENERAL:**

A. Below are the questions that were presented along with answers to each in relation to this RFQ/P as of April 3, 2020.

- 1) **Question:** Due to the COVID-19 will this be changed to electronic delivery?
Answer: Electronic delivery will not be accepted. Delivery of respondent materials shall remain as posted in the solicitation document.
- 2) **Question:** Regarding the HUB letter, is there a possibility that we could send you a draft of the letter for a first pass?
Answer: No.
- 3) **Question:** Per 5.1.2, the page count excludes the cover, table of contents, divider sheets, HCL (Section 1.13), and Execution of Offer. Can the Pricing and Delivery Proposal section also be excluded from the page count?
Answer: Yes.
- 4) **Question:** Due to safety concerns around COVID-19, would The Texas State University System consider an electronic submittal only?
Answer: Electronic delivery will not be accepted. Delivery of respondent materials shall remain as posted in the solicitation document.

- END OF ADDENDUM NO. 1 -