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## Texas State Technical College Waco

Tax Exempt # 74-1646989

Procurement Office

3801 Campus Dr.

Waco, TX 76705

(254) 867-3757 phone

(254) 867-3792 fax

### ..... **INVITATION FOR COMPETITIVE SEALED PROPOSALS**

#### **Title:**

**TSTC Hangar 11-01 Abatement 2014**

**Proposal # RFP 012414**

**Posted Date: 1-24-14**

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**All forms must be completed and returned for consideration.**

**Proposal Closing Date/Time: February 12, 2014 at 2:00 PM Central Daylight Time**

#### **Mail Proposals to:**

Texas State Technical College  
Attn: Melissa Warren, Director  
Procurement Services  
3801 Campus Drive  
Waco, Texas 76705

#### **Hand Deliver Proposals to:**

Texas State Technical College  
Procurement Services  
Attn: Melissa Warren, Director  
Patterson Hall, 2<sup>nd</sup> Floor  
103 10<sup>th</sup> Street (on-campus address)  
Waco, Texas 76705

Please note that the on-campus address is located on the TSTC Waco campus.  
There is a similar address in the downtown area of the city of Waco, Texas.

**All bids MUST be delivered to the address listed on the TSTC campus**  
by the time and date listed above.

**Faxed Proposals will not be accepted.**

**Emailed Proposals will not be accepted.**

**Late Proposals will not be accepted.**

## **1. GENERAL INFORMATION**

- 1.1. Information about Texas State Technical College System --** Texas State Technical College, (herein referred to as "TSTC"), is a state-supported, technical college system that services students throughout the state of Texas. The TSTC system includes four colleges: TSTC Harlingen, TSTC Marshall, TSTC Waco, and TSTC West Texas (which has campuses in Abilene, Breckenridge, Brownwood, and Sweetwater).
- 1.2. Historically Underutilized Business (HUB) Firms --** TSTC endeavors to promote full and equal opportunity for businesses to supply TSTC with goods and/or Services that are necessary to support TSTC's educational mission. In this regard, TSTC commits to select Proposers in accordance with (i) needs, (ii) resources, (iii) HUB goals and guidelines established by the Texas Legislature and the Texas Building and Procurement Commission, and (iv) policies and procedures for contracting with Historically Underutilized Businesses.
- 1.3. Request for Proposals --** By means of this Request for Proposals, (hereinafter referred to as "RFP"), TSTC invites all qualified Proposers to submit Proposals in accordance with the requirements outlined in this RFP. TSTC anticipates that, based on its review and evaluation of the Proposals received pursuant to this RFP, it will select a Proposer and execute a contract whereby the Proposer renders Services to TSTC, in accordance with terms and conditions set forth in the contract.
- 1.4. Purpose of the Request for Proposals --** TSTC Waco is requesting Competitive Sealed Proposals for the lead and asbestos abatement in TSTC Hangar 11-01 on the Texas State Technical College campus in Waco, Texas. The project involves the complete removal and in some cases feathering of lead paint and removal of asbestos as laid out later in this RFP and specifications and drawings titled Benas Project No. BA-13-1130.
- 1.5. Documents Attached to this RFP --** Documents included in this RFP that pertain to making a proposal for this project are listed as follows:
  - 1.5.1.** TSTC's Uniform General Conditions
  - 1.5.2.** Agreement between Owner and Contractor (Only filled out in the event of contract award)
  - 1.5.3.** Bid Proposal Form
  - 1.5.4.** HUB Subcontracting Plan Worksheet
  - 1.5.5.** TSTC's HUB Policy

- 1.5.6. Plans and specifications detailing the abatement of the project have been developed by the **Benas Environmental Services, Inc** and titled **Benas Project BA-13-1130** and is attached to this RFP.

## **2. PROPOSAL REQUIREMENTS**

- 2.1. Proposals must be received in a sealed envelope by the date and time shown above for consideration. Please indicate the RFP #, RFP Title, and RFP Closing Date and Time on the sealed envelope and either hand deliver or mail to the address on page 1.
- 2.2. Open records requests, after award is made, may be requested by contacting Jerry Sorrells via email at: [jerry.sorrells@systems.tstc.edu](mailto:jerry.sorrells@systems.tstc.edu)
- 2.3. **Requirements for Submission --** The Respondent must submit one original signed Proposal. The Proposal and accompanying documentation are the property of TSTC and will not be returned.
- 2.4. **Mandatory Pre-Proposal Conference-**
- A mandatory pre-proposal conference will be held at TSTC Physical Plant located at 1200 Greenway, on the TSTC Waco campus, Saturday February 03, 2014 at 9:00 AM CT.
- 2.5. **Required Documents for the Proposal --** All proposals must include the following documents:
- 2.5.1. Bid Bond(s)
- 2.5.2. Completed Proposal Form
- 2.5.3. Completed HUB Subcontracting Plan Worksheet

## **3. RFP PROCEDURES**

- 3.1. **Receipt of Proposals --** Proposals will be date/time stamped upon arrival. The date/time stamp used will be the official clock for proposal opening time. TSTC will not provide delivery receipt for mail delivered proposals.
- 3.1.1. TSTC will not provide proof of delivery of bid/proposals which are delivered by hand or courier. No proof of delivery shall be necessary.
- 3.1.2. Any Proposal received AFTER the DATE AND TIME specified will be IMMEDIATELY disqualified from consideration, and will be RETURNED unopened to the proposer.
- 3.2. **Proposal Opening --** Proposals will be opened after the deadline indicated in this RFP. The proposal opening process is open to the public. Upon submittal, all proposals become the property of TSTC and will not be returned.

### 3.3. **Evaluation of Proposals**

Evaluation criteria will be that of Best Value to TSTC as TSTC deems necessary. The evaluation criteria will be as follows:

<b>Category</b>	<b>Criteria</b>	<b>Score</b>
<b>Price</b>	Proposal sum.	56 points
<b>Time</b>	Proposed construction contract time.	8 points
<b>Supervision</b>	Proposer's assigned Supervisor and abilities.	10 Points
<b>Reputation</b>	Reputation of proposer.	10 Points
<b>Business</b>	Proposer's and subcontractors' financial background and stability, including past claims and suits.	4 points
<b>Change Orders/Fairness</b>	Change Order record of fairness	4 points
<b>HUB</b>	HUB participation.	8 points
<b>Total</b>		<b>100 points</b>

- 3.4. **Award of Contract --** After the evaluation process of the proposals, an award will be made in the form of an executed contract between TSTC and the selected vendor of award. TSTC reserves the right to the method of evaluation and award, and reserves the right to reject any or all proposals, or waive irregularities it deems necessary. TSTC intends to negotiate and award an agreement with the vendor submitting the proposal TSTC determines best meets TSTC's requirements and is considered to be the best value overall.

## 4. **RFP Conditions**

- 4.1. **Exhibits --** Anything related to this RFP shall comply with the documents listed below:

- 4.1.1. Agreement between Owner and Contractor
- 4.1.2. 2011 Uniform General and Supplementary General Conditions for Texas State Technical College Building Construction Contracts
- 4.1.3. TSTC's HUB Policy
- 4.1.4. HUB Subcontracting Plan
- 4.1.5. Bid Proposal Form

- 4.2. **Right to Reject --** This RFP does not commit TSTC to select a Proposer or to award a Contract to any Proposer. TSTC reserves the right to accept or reject, in whole or in part, any Proposal it receives pursuant to this RFP.

- 4.3. **Right to Modify, Rescind, or Revoke RFP --** TSTC reserves the rights to modify, rescind, or revoke this RFP, in whole or in part, at any time prior to the date on which the authorized representative of TSTC executes a Contract with the Selected Proposer.

- 4.4. **Compliance with RFP Requirements --** By submission of a Proposal, a Proposer agrees to be bound by the requirements set forth in this RFP. TSTC, at its sole discretion, may disqualify a Proposal from consideration, if TSTC determines a Proposal is non-responsive and/or non-compliant, in whole or in part, with the requirements set forth in this RFP.
- 4.5. **Binding Effect of Proposal --** Unless otherwise agreed in writing and signed by an authorized agent of TSTC, each Proposer agrees to and shall be bound by the information and documentation provided with the Proposal, including prices quoted for Services.
- 4.6. **Signature, Certification of Proposer --** The Proposal must be signed and dated by a representative of the Proposer who is authorized to bind the Proposer to the terms and conditions contained in this RFP and to compliance with the information submitted in the Proposal. Each Proposer submitting a Proposal certifies to both (a) the completeness, veracity, and accuracy of the information provided in the Proposal and (b) the authority of the individual whose signature appears on the Proposal to bind the Proposer to the terms and conditions set forth in this RFP. Proposals submitted without the required signature shall be automatically disqualified.
- 4.7. **Risk of Loss, Damage, Delay --** Proposer acknowledges and agrees to release and hold harmless the TSTC System, its campus components, Board of Regents, officers, employees, agents, and personnel, from and against any and all claims, liability, damages, and costs, including court costs and attorneys' fees, arising out of or pursuant to delivery of the Proposal or failure to deliver the Proposal to the Purchasing Office at TSTC, as designated in this RFP.
- 4.8. **Ownership of Proposals --** All Proposals become the physical property of TSTC upon receipt.
- 4.9. **Use, Disclosure of Information --** Proposer acknowledges that TSTC is an agency of the State of Texas, and is therefore required to comply with the Texas Public Information Act, Tex. Government Code Ch. 552. If a Proposal includes proprietary data, trade secrets, or information the Proposer wishes to except from public disclosure, then the Proposer must specifically label such data, secrets, or information as follows: "**PRIVILEGED AND CONFIDENTIAL -- PROPRIETARY INFORMATION.**" To the extent permitted by law, information labeled by the Proposer as proprietary will be used by TSTC only for purposes related to or arising out of the (a) evaluation of Proposals, (b) selection of a Proposer pursuant to the RFP process, and (c) negotiation and execution of a Contract, if any, with the Proposer selected.
- 4.10. **Public Disclosure --** All information, documentation, and other materials submitted in response to this solicitation are considered 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.

Please contact Jerry Sorrells by email at [Jerry.Sorrells@systems.tstc.edu](mailto:Jerry.Sorrells@systems.tstc.edu) for requests.

- 4.11. **Costs of Participation --** TSTC specifically disclaims responsibility, and/or liability, for all costs, expenses, or claims related to or arising out of the Proposers participation in this RFP process, including but not limited to costs incurred as a result of preparing, copying, shipping, presenting, and/or clarifying the Proposal and the information relevant to the Proposal.
- 4.12. **Compliance with Applicable Laws, Regulations, Ordinances, Board of Regents Policies, University Policies and Procedures --** By submitting a Proposal, the Proposer agrees to, and shall comply with all applicable local, state and federal laws and regulations, as well as with all applicable policies and procedures of the Texas State Technical College System. System policies and procedures may be accessed at the following Internet address: <http://www.tstc.edu>
- 4.13. **Rescission of Proposal --** A Proposal can be withdrawn from consideration at any time prior to expiration of the deadline for proposals, as stated in this RFP, pursuant to a written request sent to the Procurement Office Attn: Melissa Warren.
- 4.14. **Request for Electronic Copy --** A Proposer may request an electronic copy of the RFP from TSTC, pursuant to a written request sent to the Procurement Office Attn: Melissa Warren.
- 4.15. **Request for Clarification by TSTC --** TSTC reserves the right to request clarification of any information contained in a Proposal.
- 4.16. **Safety --** Contractor must comply with all applicable safety regulations, including but not limited to, the TSTC Waco, College Operating Procedure (9.16) Contractor Safety. The "COP" may be downloaded or viewed at this electronic link: <http://iam.tstc.edu/users/cop/COP9.16-01-13-03.pdf>
- 4.17. **Contract Award --** A response to the solicitation is an offer to contract with Texas State Technical College based on the terms and conditions contained therein. RFP's do not become contracts and are not binding until a written contract, signed by authorized College administrator and authorized personnel of the awarded vendor pursuant to this RFP.
- 4.18. **Submitted Responsive Documents --** The RFP and submitted responsive documents, or portions of each, and at the College's sole discretion, may become incorporated by reference and a part of the written contract and will be binding on both the College and the Proposer after execution of the contract by both parties.
- 4.19. **Compliance with Laws --** The services provided and all representations in the RFP response must be such that they are or would be in conformity with all federal, state, county and local laws, regulations, rules, and orders. Upon request, the Proposer shall furnish to TSTC certificates of compliance with all such laws.
- 4.20. **Taxes --** TSTC is tax exempt as a governmental subdivision of the State of Texas under Texas Tax Code Section 151.

- 4.21. **Ethics Conduct --** Any direct, or indirect, actions taken to unduly influence competitive purposes, to circumvent equal consideration for competitive bidders, or to disregard ethical and legal trade practices will disqualify vendors and contractors from current and future consideration for participation in TSTC orders and contracts.
- 4.22. **Bond Requirements --** A Bid/Proposal Bond is required for this project. Said bid bond shall be provided through an appropriate surety agent as outlined in the Bid Bond Proposal Exhibit in an amount not less than two percent (5%) of the greatest total amount of the bid or proposal, as a guarantee of the bid or proposal. A cashier's check for the bid/proposal bond amount may be provided in lieu of a bid/proposal bond.