



REQUEST FOR PROPOSAL

**Parking Lot Repair for Lots A & 2 for
The Harlingen Campus**

RFP-20-CP-001

NIGP Class Code(s):913-36,913-75,913-94

RESPONSES ARE DUE BEFORE:
Wednesday, November 27, 2019, 3:00 PM CST

POINT OF CONTACT:
Carmen Perez, CTCM
Texas State Technical College
Phone: 956.364.4430
cnperez@tstc.edu

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SECTION 1: GENERAL INFORMATION

1.1 Background of Texas State Technical College

Texas State Technical College (“TSTC” or “College”) a state-supported two-year technical college and is the state’s largest provider of technical education. TSTC was originally established in 1965 as the James Connally Technical Institute (JCTI), a two year college in the Texas A&M University System designed to meet the state’s evolving workforce needs. In 1969, the State of Texas gained ownership of James Connally Air Force Base and renamed the college Texas State Technical Institute (TSTI), which became a separate state agency with its own Board of Regents, appointed by the governor. TSTC has been accredited by Southern Association of Colleges and Schools Commission on Colleges (SACS-COC) as a Level I institution since 1968. The College is an open enrollment institution with a full-time equivalent enrollment of approximately 12,000. In contrast with Texas’s regionally-focused community colleges, TSTC has a statewide role and mission with a legislative mandate to focus specifically on highly specialized, advanced, and emerging technical and vocational areas leading to certificates or associate degrees.

In 2015, the College was granted single-accreditation status from the SACS-COC, the regional body for the accreditation of degree-granting higher education institutions in the Southern states. TSTC central administration is located in Waco, Texas, the site of the flagship campus. The College services students throughout the state of Texas at campuses located in Abilene, Breckenridge, Brownwood, Fort Bend County, Harlingen, Marshall, North Texas (Red Oak), Sweetwater, Waco, and Williamson County.

1.2 Purpose of the Request for Proposals

TSTC is soliciting proposals (“Proposals”) from qualified Respondents (“Respondent”) for the purpose of selecting a contractor for parking lots A & 2 entrance repair on TSTC's Harlingen Campus. Work to be done before or during the 2019 Winter Break.

1.3 Submission of Proposal

Pursuant to *Texas Government Code Title 10, Subtitle D, Chapter 2156.121-2158.127*, sealed proposals will be received until the date and time established as the submittal deadline. After the submittal deadline, proposals will be opened and only the names of Respondents that properly submitted a Proposal will be made public. Prices and other proposal details will only be divulged after the contract award, if one is made.

Proposals must be received before the hour and date specified as the submittal deadline. Any proposal received after the expiration of the submittal deadline will be immediately disqualified from consideration.

Proposals will not be accepted by telephone, fax, or email. Proposals will only be accepted at the address below:

Mail:
Carmen Perez
Texas State Technical College, SSC Building
1902 N. Loop 499
Harlingen, Texas 78550
Phone: 956.364.4430
carmen.perez@tstc.edu

Submit one (1) original signed proposal and one (1) identical electronic copy of the original signed proposal including all of its contents (“Proposal”). The original Proposal should contain the mark “original” on the Proposal Cover Page. The electronic copy shall be submitted in a USB/Flash Drive or CD in the same envelope as the hard-copy original proposal.

Proposal must be enclosed in a sealed envelope (box or container) addressed as described above. The envelope must clearly identify the RFP number, submittal deadline, and the name and return address of the Respondent. Proposal and any other information submitted by a Respondent in response to this RFP shall become the property of TSTC and will not be returned.

TSTC will not provide “delivery or hand stamp” receipt of Proposal or proof of delivery of Proposal which are delivered by hand or courier.

Failure to comply with all requirements contained in this RFP may result in the rejection of the Proposal. Proposals that are qualified with conditional clauses, alterations, items not called for in the RFP, or irregularities of any kind are subject to rejection.

By submitting a Proposal in response to this RFP, Respondent acknowledges and accepts the evaluation process and that determination of the “best value” will require subjective judgments by TSTC.

1.4 Questions and Clarifications

All questions and clarifications regarding this RFP must be submitted in writing to Carmen Perez @ carmen.perez@tstc.edu no later than **Monday, November 18, 2019 10:00 AM CST**. TSTC reserves the right to request clarification of any information contained in a proposal. Any clarifications or interpretations of this RFP that materially affect or change its requirements will be issued by TSTC as an Addendum. All such Addenda will be issued by TSTC before the submittal deadline as part of the RFP and Respondents shall acknowledge receipt of each Addendum to the RFP in proposal submission.

1.5 Schedule of Events

Issuance of RFP	Wednesday, November 13, 2019
Deadline for Written Questions	Monday, November 18, 2019 10:00 AM CST
Issuance of Addendum (if necessary)	Friday, November 22, 2019 3:00 PM CST
Submittal Deadline	Wednesday, November 27, 2019 3:00 PM CST
Evaluation and Selection Period (tentative)	TBD
Interviews and Negotiations (optional)	TBD
Award/Issuance of Purchase Order (tentative)	TBD

1.6 NO PRE-CONFERENCE NEEDED

1.7 Historically Underutilized Business Submittal Requirements (If Applicable)

It is the policy of TSTC to promote full and equal opportunities for the contracting and subcontracting of Historically Underutilized Businesses (HUB) in accordance with *Texas Government Code*, Chapter 2161. This Chapter applies to all contracts for the purchase of goods and/or services with an expected value of \$100,000 or more.

A HUB Subcontracting Plan Form (Included as Separate Attachment) must be filled out and returned with the Proposal to be considered responsive. If the Proposal does not include a HUB Subcontracting Plan, it shall be rejected as a material failure to comply with advertised specifications.

Search the State of Texas HUB Database for HUB vendors by the NIGP class and item at: <https://mycpa.cpa.state.tx.us/tpasscdblsearch/index.jsp>

Additional minority and women owned business association resources are available for subcontracting notices at: <http://comptroller.texas.gov/procurement/prog/hub/mwb-links-1/>

Additional information and training regarding how to complete a HUB Sub-Contracting Plan can be found on the CPA Website at the following link: <http://comptroller.texas.gov/procurement/prog/hub/hub-subcontracting-plan/>

1.8 Subcontracting Approval

The Respondent shall perform the Contract with its own resources and those subcontractors identified in the Respondent's HUB Subcontracting Plan. In the event that the Respondent should determine that it is necessary or expedient to execute additional or alternative subcontracts for any of the performances under the Contract, the Respondent shall submit a revised HUB Subcontracting Plan for prior approval before executing any subcontracts.

In any subcontracts entered into by Contractor for the performance of the work, Contractor shall require the Subcontractor, to the extent of the work to be performed by the Subcontractor, to be bound to Contractor by the terms of the contract between Contractor and TSTC and to assume toward Contractor all of the obligations and responsibilities that Contractor, by the contract between Contractor and TSTC, assumes toward TSTC.

The Respondent shall manage all quality and performance, project management, and schedules for subcontractors. The Respondent shall be held solely responsible and accountable for the completion of all work for which the Respondent has subcontracted.

1.9 Proposal Requirements

Proposals cannot be altered after the proposal submittal deadline and must be firm for up to 60 days from the submittal deadline. Proposals cannot be withdrawn after submittal deadline without written approval by TSTC based on a written request to withdraw.

1.10 Signature, Certification of Proposer

Proposals submitted without the required forms and authorized signatures, as specified in Section 3(Proposal Requirements) and Section 6(Attachments) are subject to disqualification at TSTC's sole discretion.

1.11 Proposal Evaluation and Award Process

Proposals will be evaluated in accordance with Section 4.1 of the RFP.

1.12 Exceptions to RFP

Any exceptions to terms, conditions, and requirements of the RFP, including the Service Agreement, must be made in writing and noted in the Proposal. Please refer to Section 6, Form B for the required form.

1.13 No Reimbursement for Proposal Costs

TSTC specifically disclaims the responsibility and/or liability for all costs, expenses, or claims related to or arising out 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 their Proposal and the information relevant to the Proposal. Proposers acknowledge and accept that any costs incurred from proposers' participation in this RFP process shall be at their sole risk and responsibility.

1.14 Taxes

As an institute of higher education and agency of the State of Texas, TSTC is exempt from payment of Texas State and local sales or use taxes on all purchases (*Texas Tax Code, Section 151.309*). Do not include sales tax in Proposal. Tax exemption certificates are available upon request.

1.15 Reservation of Rights

TSTC reserves the right to modify the RFP, divide the Scope of Work into multiple parts, and reject any and all proposals to re-solicit for new proposals or temporarily or permanently abandon the RFP prior to the date on which TSTC's delegated authority executes a contract with the selected Proposer.

1.16 Texas Public Information Act

Proposers acknowledge that TSTC is an agency of the State of Texas, and is therefore required to comply with the Texas Public Information Act (*Texas Government Code, Chapter 552.001, et seq.*) TSTC strictly complies with all statutes, court decisions, and opinions of the Texas Attorney General with respect to disclosure of public information. All information, documentation, and other materials submitted in response to this RFP are considered non-confidential and/or non-proprietary and are subject to public disclosure. If proposals include proprietary data, trade secrets, or information proposers must specifically label such data, secrets, or information as follows: **"PRIVILEGED AND CONFIDENTIAL – PROPRIETARY INFORMATION"**.

1.17 Equal Opportunity

Proposer must be an equal opportunity employer. No person shall be discriminated against in employment because of race, color, religion, gender, national origin, disability, or age.

1.18 Accuracy of Information

The information presented in this RFP is complete and accurate to the best of TSTC's knowledge. If proposers have any questions in regards to this RFP, a written request should be submitted to Point of Contact before the Deadline for Written Questions specified herein.

1.19 Contract Award

Proposals to this RFP are offers to contract with TSTC. Proposals do not become contracts and are not binding until a written contract is executed by TSTC's delegated authority and awarded Proposer. Awarded Proposal will become incorporated by reference in the written contract. TSTC shall reserve the right to award a contract for part or all requirements in the RFP, to award multiple awards, or not award any contract, according to what is in the best interest of the TSTC.

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 this written contract and will be binding on both the College and the Proposer after execution of the contract by both parties.

1.20 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 proposers from current and future consideration for participation in TSTC purchase orders and contracts.

SECTION 2: SCOPE OF WORK

TSTC is soliciting proposals (“Proposals”) from qualified Respondents (“Respondent”) for the purpose of selecting a contractor for parking lots A & 2 entrance repair on TSTC's Harlingen Campus. Work to be done before during the 2019 Winter Break.

2.1 SCOPE OF WORK:

Parking Lot A Entrance Repair - Scope

Remove and dispose of existing asphalt in its entirety on a marked 65’-0” x 65’-0” area for 2 inches below subgrade. This is to include concrete gutter, reference attached plan. Regrade to desired elevations to allow for proper drainage of parking lot and other means of water run-off.

At the start of the construction, the moisture content should be checked by contractor to aid in determining the required compaction of the subgrade. Contractor to provide new concrete sand and shall be tightly compacted. Where found, existing subgrade should also be compacted.

Existing asphalt, curb and gutter to be replaced with new concrete at 6” in thickness, 4,000 psi, using #4 steel rebar spaced at every 12 inches on center each way over a well-prepared subgrade tightly compacted in layers for uniform consistent support. No substitutions allowed.

All control joints, expansion joints, transition joints and seams are to be properly sealed to prevent water intrusion.

Parking Lot 2 Entrance Repair - Scope

Remove and dispose of existing asphalt in its entirety on a marked 75’-0” x 75’-0” area for 2 inches below subgrade. This is to include concrete gutter, reference attached plan. Regrade to desired elevations to allow for proper drainage of parking lot and other means of water run-off.

At the start of the construction, the moisture content should be checked by contractor to aid in determining the required compaction of the subgrade. Contractor to provide new concrete sand and shall be tightly compacted. Where found, existing subgrade should also be compacted.

Existing asphalt, curb and gutter to be replaced with new concrete at 6” in thickness, 4,000 psi, using #4 steel rebar spaced at every 12 inches on center each way over a well-prepared subgrade tightly compacted in layers for uniform consistent support. No substitutions allowed.

All control joints, expansion joints, transition joints and seams are to be properly sealed to prevent water intrusion.

Bid Selection

The Selected contractor will work with the Construction Project Manager and the Senior Executive Director of Facilities in the planning and coordination of this project. It will be required to be completed in phases allowing for the Parking Lots to remain open without significant interruptions. TSTC reserves the right to accept or reject any or all proposals and to waive any formalities, informalities, and deviations, which, in its opinion, best serve the interest of the Public Institution. Texas State Technical College is not bound to accept the lowest priced proposal. Your proposal should include your most favorable terms and conditions. Subsequent to the Proposal due date, TSTC reserves the right to negotiate terms and conditions with proposers.

The successful candidate will be required to enter into a written contract with TSTC. If you have a formal or standard contract that you typically use with such projects, please attach a copy to this Proposal. If, in TSTC's sole discretion, the selected proposer has not executed the contract documents within a reasonable time after the selection, TSTC reserves the right to rescind the award and select another contractor.

Awarded contractor shall coordinate schedules with the Sr. Executive Director of Facilities or project manager assigned to this project by the Sr. Director of Facilities in order to limit disruptions to the College's day to day operations.

2.5 Mandatory Requirements/Conditions

- 2.5.1 Proposer(s) must have at least three (3) years of experience in providing Services in a commercial setting.
- 2.5.2 Proposer(s) must provide SDS sheets for all chemicals and MSD sheets for all materials used on campus.
- 2.5.3 Proposer(s) must provide written documentation to TSTC of each warranty within thirty (30) days after completion of Services.
- 2.5.4 Proposer(s) must provide proof of all required licenses and certifications.
- 2.5.5 Proposer(s) must perform all Services in accordance with the latest edition of the TSTC's Uniform General Conditions.
- 2.5.6 All employees of Proposer(s) performing Services on TSTC properties must wear uniforms or identification badges. No employee of the Proposer will be permitted on TSTC properties without proper identification.
- 2.5.7 Harassment: Under no circumstance will the University tolerate any form of verbal or non-verbal abuse, jeering, whistling, etc. directed toward College staff or students. The Proposer will be informed of any complaints and will be expected to permanently remove the problem employee from the job.
- 2.5.8 Smoking: All tobacco products, including smokeless tobacco, are prohibited on TSTC property at all times. This must be fully enforced by the Proposer.
- 2.5.9 Illegal Drugs and Alcohol: No alcoholic beverages or illegal drugs shall be brought on TSTC property at any time. Any workmen under the influence of either illegal drugs or alcohol or smelling of alcohol shall be permanently removed from the property by the Proposer.
- 2.5.10 Firearms/Weapons: Pursuant to Section 30.07 Penal Code, A person licensed under Subchapter H, Chapter 411, Government Code, may not enter any TSTC premises with a gun that is carried openly.
- 2.5.11 Restrooms: Under no conditions will any of the workmen be allowed to use restrooms within the existing College facilities except for the Physical Plant.
- 2.5.12 Proposer(s) must coordinate the Scope of Work with TSTC.
- 2.5.13 Proposer(s) must include all costs related to providing the complete Services requested and reference the applicable contract number on all quotes.

- 2.5.14 TSTC will not be responsible for any Materials or Services not specifically detailed on the quote and approved through a formalized TSTC Purchase Order.
- 2.5.15 Proposer(s) must respond to notifications to plan and schedule Services within two (2) business days of the initial request made by TSTC.
- 2.5.16 Proposer(s) must provide all necessary bonds and permits as required as defined in the UGC.
- 2.5.17 Proposer shall maintain a traffic barricade of caution tape installed approx. 42" above finished floor unless others are stated above.
- 2.5.18 All debris removal and cost of disposal shall be the responsibility of the contractor. All debris removal shall be off campus.
- 2.5.19 Contractor shall clean trash, debris, and sweep work area daily.

2.6 Preferred Requirements/Conditions

- 2.6.1 Proposer(s) should document their green initiative for providing responsible environmental practices.

2.7 Quality Measures

- 2.7.1 All Materials and Services delivered by Proposer(s) to TSTC are subject to inspection and approval by TSTC.
- 2.7.2 If for any reason TSTC is not satisfied with the Services, Proposer(s) must coordinate with TSTC to resolve the problem(s) with no additional charge, unless agreed upon in writing by TSTC.

2.8 Contract Administration

Contract Manager for this project is Juan Lopez.

2.9 Change or Addition to Scope of Services

TSTC, without invalidating the contract, may make changes by altering, adding to, or deduction from the Scope of Services at any time during the term of the contract in order to meet current TSTC needs. The Contract pricing shall be adjusted accordingly, upon mutual agreement between TSTC and Contractor.

Should TSTC request additional services during the term of the Contract, an agreement to provide these services at the same price as quoted will be understood as included in the Respondent's submission.

2.10 Group Purchasing Authority

Texas law authorizes institutions of higher education (defined by Section 61.003, Education Code) to use the group purchasing procurement method (Texas Education Code 51.9335). Additional Texas institutions of higher education may therefore elect to enter into a contract with the successful Proposer under this RFP. In particular, Proposer should note that Texas State Technical College is comprised of several campuses across the state of Texas described at <https://www.tstc.edu/campuses> . TSTC may routinely evaluate whether a contract resulting from a procurement conducted by one of the campuses might be suitable for use by another, and if so, this could give rise to additional purchase volumes. As a result, in submitting its proposal in response to this RFP, Proposer should consider proposing pricing and other commercial terms that take into account such higher volumes and other expanded opportunities that could result from the eventual inclusion of other institutions in the purchase contemplated by this RFP.

SECTION 3: PROPOSAL REQUIREMENTS

The Proposal must be organized in sections and divided by tabs in the following format and contain the following information and forms in Sections 3.1, 3.2, and 3.3. Respondents should note that elaborate or unnecessary voluminous proposals are not desired. All forms must be completed, signed, and returned as part of the Respondent's proposal.

3.1 Execution of Offer (TAB 1)

The Execution of Offer (Form A, Section 6) should be the first page of your Proposal. This form must be signed by a person authorized to sign for the Respondent.

3.2 Proposal Criteria (Each section should be in a separate tab)

Proposal Response (Tab 1) - TSTC is interested in the approach, methods, and customer service that the firm will employ to provide the services described in Section 2.1 Scope of Work. Please describe.

Project Teams' relative experience including sub contractors (Tab 2)- Respondents to provide a detailed **list of** Project teams' relative experience including sub-contractors. Provide resumes for the principal members of your organization, including the officers as well as the proposed Project Manager and Superintendent for the project.

Experience on Similar Higher Education Projects/TSTC (Tab 3): Respondents to provide examples of similar higher education projects. Provide owner contact information.

Proposal Form (Pricing) (Tab 4) –Bid prices must include all labor, material, equipment, insurance, overhead, superintendence, transportation, taxes, permits, profits, & incidentals to cover the finished work called for in this RFP. Refer to FORM I.

Proposal Form (Timeline) (Tab 5) - Respondents are to provide total calendar days for completion of project. Refer to FORM I.

SECTION 4: EVALUATION

Respondent is encouraged to propose terms and conditions offering the maximum benefit to TSTC in terms of (1) services to TSTC, (2) total overall cost to TSTC, and (3) expertise. Respondents should describe all educational, state and local government discounts, as well as any other applicable discounts that may be available to TSTC.

An evaluation team from TSTC will evaluate the Proposal. The evaluation of Proposal and the selection of a respondent will be based on the information provided by Respondent in its Proposal. TSTC may give consideration to additional information if TSTC deems such information relevant.

The criteria to be considered by TSTC in evaluating Proposal and selecting a Contractor will be those factors listed below.

Threshold Criteria Not Scored:

- Ability of TSTC to comply with laws regarding Historically Underutilized Businesses; and
- Ability of TSTC to comply with laws regarding purchases from persons with disabilities

Respondents shall carefully read the information contained in Section 4.1 and submit a complete statement of Proposals to all questions in Section 3.2. Incomplete Proposals will be considered non-responsive and subject to rejection.

Criteria to be Evaluated		Points
Criteria One:	Proposal Amount on Proposal Form	60
Criteria Two:	Experience on similar higher education projects and with TSTC	10
Criteria Three:	Project teams' relative experience including sub-contractors and their likely roles	10
Criteria Four:	References on previous higher education projects	20
Criteria Five:		

4.1 CRITERIA

TSTC may select the Proposal that offers the “best value” for the institution based on the published selection criteria and on its ranking evaluation. TSTC may first attempt to negotiate a contract with the selected respondent. TSTC may discuss with the selected respondent options for a scope or time modification and any price change associated with the modification. If TSTC is unable to reach a contract with the selected respondent, TSTC may formally end negotiations with that respondent and proceed to the next “best value” respondent in the order of the selection ranking until a contract is reached or all Proposals are rejected. TSTC is not obligated to select the Respondent offering the most attractive economic terms if that Respondent is not the most advantageous to TSTC overall, as determined by TSTC.

4.2 Best Value Criteria

- The quality, availability, and adaptability of the supplies, materials, equipment, or contractual services to the particular use required.
- The number and scope of conditions attached to the RFP.
- The ability, capacity, and skill of the proposer to perform the contract or provide the service required.
- Whether the proposer can perform the contract or provide the service promptly, or within the time required, without delay or interference.
- The character, responsibility, integrity, reputation, and experience of the proposer.
- The quality of performance of previous contracts or services;
- Any previous or existing noncompliance by the proposer with specification requirements relating to time of submission of specified data such as photos of equipment, samples, models, drawings, certificates, or other information; the sufficiency of the financial resources and ability of the proposer to perform the contract or provide the service;
- The ability of the proposer to provide future maintenance, repair parts, and service for the use of the contract.
- The purchase price:
- Any relevant criteria specifically listed in the RFP or request for proposals.

SECTION 5: FORMS AND ATTACHMENTS

TSTC Requires that the Respondent complete and return the following forms as part of their proposal. (Each form should be in a separate tab)

- FORM A: EXECUTION OF OFFER
<https://drive.google.com/a/tstc.edu/file/d/1990u-MZyCTChb1KpFyVUCO0dngXAUMqH/view?usp=sharing>

- FORM B: DEVIATION/COMPLIANCE SIGNATURE FORM
<https://drive.google.com/a/tstc.edu/file/d/10I5ajXeO5kmZj-wBoM-XJG13-6wLfkI7/view?usp=sharing>

- FORM C: NON-COLLUSION STATEMENT
<https://drive.google.com/a/tstc.edu/file/d/1ImAXgeNRLPcS8YT6BPuR5VKyUek6obYp/view?usp=sharing>

- FORM D: REFERENCES
<https://drive.google.com/a/tstc.edu/file/d/1-hkkeFTRzNqO0VqTKzNXW1m2hU3anw1Ve/view?usp=sharing>

- FORM E: INTERLOCAL AGREEMENT CLAUSE
<https://drive.google.com/a/tstc.edu/file/d/1-iSukTdfsLfBudN3bApB0W37JWmrN3rr/view?usp=sharing>

- FORM F: HUB SUBCONTRACTING PLAN (If proposal will be over 100K)
https://drive.google.com/a/tstc.edu/file/d/16PAaaIe7wTdYfoPq3987b7RRHdizqh_z3/view?usp=sharing

- FORM G: CONFLICT OF INTEREST
<https://drive.google.com/a/tstc.edu/file/d/1gA4fLfw76O4jYgKRpT6vIFzVwM-0PoB/view?usp=sharing>

- FORM H: NO BID RESPONSE (OPTIONAL)
https://drive.google.com/a/tstc.edu/file/d/1pAwAC3SQ_RRrwOQNZ4XMnKU8vh6xgdl8/view?usp=sharing

- FORM I: PROPOSAL FORM
<https://drive.google.com/a/tstc.edu/file/d/16ISkAKrkQA0uJ8kXGyZNXHAEXuGDedG6/view?usp=sharing>

ATTACHMENTS

- ATTACHMENT A: SAMPLE CONTRACT

<https://drive.google.com/a/tstc.edu/file/d/11sBUrVDYvwPmHgJdbZIO7LcvJIW8o4ct/view?usp=sharing>

- ATTACHEMENT B: DRAWING

https://drive.google.com/a/tstc.edu/file/d/16GpxH_E5Oizw6VFepryP7A0nVQkUNAzD/view?usp=sharing

<https://drive.google.com/a/tstc.edu/file/d/16B0Aug8oPwkLFFvIQKYEFackDTtO7bR/view?usp=sharing>