



REQUEST FOR PROPOSAL

Real Estate and Brokerage Services - Waco Campus

RFP-20-DA-003

NIGP Class Code(s):946-38

RESPONSES ARE DUE BEFORE:
Wednesday, December 11th, 2019, 2:00 PM CST

POINT OF CONTACT:
Doris Archie, CTPM
Texas State Technical College
Phone: 254.867.3757
doris.archie@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

Texas State Technical College (TSTC) (“Owner) is soliciting statements of proposals (“Proposals”) for real estate firm to provide brokerage and marketing services for commercial property owned by the College located nearby its campus in Waco, Texas as well as buyer agent for other real estate transactions. It is the intent of this RFP to have the successful broker/firm enter into a Professional Services Contract with College to supply real estate services outlined herein. The property for sale requiring brokerage and marketing services consists of forty-two (42) acres on backside of airport. The real estate firm will be paid strictly on commission basis and will be expected to work closely with College personnel and provide monthly reports to the Chief Financial Officer. College reserves the right to reject any and all proposals, or parts of proposals, when it is judged to be in the best interest of College.

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 or Drop Off:
Doris Archie
Texas State Technical College
Patterson Hall, 2nd Floor
103 10th Street
Waco, Texas 76705
Phone: 254.867.3767
doris.archie@tstc.edu

Note: Address above is campus address only, recognized by FEDEX and UPS. If sending via USPS, use following street address: 3801 Campus Drive, Waco, TX 76705

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 Doris Archie at doris.archie@tstc.edu no later than **Friday, December 6th, 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 RFQ	Monday, December 3, 2019
Pre-Submittal Conference (if applicable)	Not Applicable
Deadline for Written Questions	Wednesday, December 11 th , 2019, 10:00 AM CST
Issuance of Addendum (if necessary)	Monday, December 16 th , 2019, 10:00 AM CST
Submittal Deadline	Wednesday, December 18 th , 2019, 2:00 PM CST
Evaluation and Selection Period (tentative)	TBD
Interviews and Negotiations (optional)	TBD
Award/Drafting of Contract/Issuance of Purchase Order (tentative)	TBD

1.6 Pre-submittal Conference:

Not Applicable

1.7 Historically Underutilized Business Submittal Requirements

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/tpasscmlsearch/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.

- 1.9.1 The real estate firm will be paid strictly on a commission basis and will be expected to work closely with College personnel and provide monthly reports to the Chief Financial Office
- 1.9.2 College reserves the right to reject any and all proposals, or parts of proposals, when it is judged to be in the best interest of the College
- 1.9.3 An informational meeting and tour of the property can be held before the deadline by calling Kristin Sondermann, Executive Assistant to the Vice Chancellor & CFO, (254) 867-3929 and kristin.sondermann@tstc.edu.

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

Issuance of this RFP and receipt of proposals does not commit College to award a contract. College reserves the right to postpone receipt date, accepting or rejecting any or all proposals received in response to this RFP, or to negotiate with any of the brokers/firms submitting an RFP, or to cancel all or part of this 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.

The term of this contract shall begin (TBD) To Be Determined and terminate on August 31, 2020. At the end of the contract, TSTC has the option to continue services for an additional twelve (12) months by extending the termination date for a maximum of one year per renewal for three (3) additional consecutive renewal years. Either party may terminate this contract, without penalty, by giving 60 days written notice.

Initial Term: TBD – August 31, 2020
Second Optional Year: September 1, 2020 – August 31, 2021
Third Optional Year: September 1, 2021 – August 31, 2022
Fourth Optional Year: September 1, 2022 – August 31, 2023

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

2.1 Overview

This Scope of Services specifies the minimum requirements for the Real Estate and Brokerage in Waco, Texas. Any additions to or differences from the minimum requirements for the Scope of Service requested shall be clearly identified in the Proposal response.

2.2 Scope of Work

Texas State Technical College (TSTC) (“Owner”) is soliciting statements of proposals (“Proposal”) for Real Estate and Brokerage Services, in accordance with the terms, conditions, and requirements set forth in this Request for Proposals (“RFP”).

The successful firm shall agree to contract with College to provide the following:

- 2.2.1 Perform market analysis
- 2.2.2 Develop strategies for sale of property
- 2.2.3 Work with the College executive staff to negotiate the sale of the property with buyers/prospects
- 2.2.4 Coordinate real estate appraisals
- 2.2.5 Coordinate real estate transaction closings
- 2.2.6 Advise on other real estate purchases, including related buyer representation; and
- 2.2.7 Handle all other customary activities and services associated with real estate transactions. Attendance and presentations at meetings of Board of Regents meetings of College may be required

2.3 Minimum Mandatory Qualifications

- Must be licensed and in good standing with the State Real Estate Commission
- Must have an excellent reputation in the real estate community; and
- Must be knowledgeable in the local real estate market and have experience with commercial properties

2.4 Insurance Requirements

For proposal purposes, proposers must submit copies of certificates of insurance for general liability and workers compensation. The successful contractor must provide original certificates prior to commencing services.

2.5 Fee Schedule

The proposed fee schedule shall include the following items:

- State your commission rate for selling properties for all situations

2.6 Oral Presentation/Interviews

Firms submitting a proposal in response to this RFP may be required to give an oral presentation for their proposal. Additional technical and/or cost information may be requested for clarification purposes, but in no way will change the original proposal submitted. Interviews are optional and may or may not be conducted.

2.7 Contract Administration

All questions shall be routed to the TSTC project/contract manager throughout duration of work: Project/Contract Manager for this project is: Contract Administration/Management will be determined at the time of service commencement

2.8 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.

2.9 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 2) – Respondents to provide a detailed proposal in how the services will be provided in section 2.2 Scope of Work. TSTC is interested in the approach, methods, and customer service that the firm will employ to provide the services. Please describe the knowledge of local commercial real estate market and the surrounding regions and how your firm will meet or exceed the requirements defined in the RFP.

Experience with similar projects involving other higher education customers (Tab 3) – List three projects similar in size and scope completed for higher education clients in five years. Provide sales track record and accurate customer contact information for these projects. Please get commitment from your contract to provide references for the work performed.

Team Experience and Background (Tab 4)- Provide detailed qualifications, real estate experience and references of broker(s) and agents that will work on this project. Provide current state real estate license. Please elaborate on how your team will work with the college to develop selling techniques and strategies for this project.

Fee Schedule (Tab 5) - Respondent to provide a fee schedule of their services as required in section 2.2 Scope of Work and 2.5 Fee Schedule.

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:	Knowledge of local commercial real estate market and the surrounding region	25
Criteria Two:	Commercial real estate experience, qualifications and references	25
Criteria Three:	Commitment to develop marketing and other strategies with College's team	20
Criteria Four:	Understanding of and/or track record of support of higher education, including any past relevant support of the College	10
Criteria Five:	Ability of the contractor(s) to meet or exceed the requirements defined in the RFP	10
Criteria Six:	Fee Schedule	10

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.

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/1-UJkKtkYg9iq6nPcEqG2BehueicNtvku/view?usp=sharing>
- FORM B: DEVIATION/COMPLIANCE SIGNATURE FORM
<https://drive.google.com/a/tstc.edu/file/d/1-WxAWWAgz4MwsPirEr5JNljQIrxaoQEh/view?usp=sharing>
- FORM C: NON-COLLUSION STATEMENT
https://drive.google.com/a/tstc.edu/file/d/1-YRfnE-io4fwGGc4uxuQGF_mlhkm_YKd/view?usp=sharing
- FORM D: REFERENCES
<https://drive.google.com/a/tstc.edu/file/d/1-hkkeFTrZnQ0VqTKzNXW1m2hU3anw1Ve/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 (Only if proposal is over \$100,000)
https://drive.google.com/a/tstc.edu/file/d/16PAaaIe7wTdYfoPq3987b7RHDizqh_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/1-ic7Duh8I2I8Danun_sQ6FQY5bix5mr3/view?usp=sharing

ATTACHMENTS

- ATTACHMENT A: SAMPLE CONTRACT
[Standard SERVICES Terms and Conditions contract.docx](#)