



REQUEST FOR PROPOSAL

*Construction Manager at Risk*

**TSTC Ft. Bend Campus**

**Industrial Technology/ Welding Technology**

**Diesel Technology/Lineworker Technology**

**Building Expansion**

**RFP-20-DG-007**

NIGP Class Code(s):909-21,909-22,909-24

RESPONSES ARE DUE BEFORE:

**Tuesday, November 14, 2019, 3:00 PM CST**

POINT OF CONTACT:

Daniel de la Garza, CTCD, CTCM

Texas State Technical College

Phone: 956.364.4554

[danny.delagarza@tstc.edu](mailto:danny.delagarza@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

GENERAL INFORMATION: Texas State Technical College (TSTC) (“Owner”) is soliciting statements of qualifications and proposals (“Qualifications and Proposal”) **for selection of a Construction Manager at Risk (CMR Contractor) for the Construction of the Industrial Technology Center (ITC) Welding Technology / Diesel Technology Labs and the Lineworker Technology Lab on the Fort Bend Campus in Rosenberg Texas.** In accordance with the terms, conditions, and requirements set forth in this Request for Qualifications and Proposal (“RFP”). Texas State Technical College will be the fiscal agent and contract manager for the Project and reserves the right to accept or reject any and all proposals, waive any and all formalities, and select the proposal deemed to be in the best interests of TSTC.

1.2.1 This RFP is a one-step process for selecting a Construction Manager at Risk (CMR) firm for the Project as provided by Texas Education Code §51.782. The RFP provides the information necessary to prepare and submit Qualifications and Proposal for consideration and initial ranking by the Owner, to include pre-construction services, fee proposals, and general conditions cost for the estimated construction costs with typical project mark-up percentages (“Proposals”) as detailed in the Guaranteed Maximum Price Proposal Form found in Section 3.12.

1.2.2 Owner reserves the right to interview selected respondents to confirm their proposals and resolve any additional questions the Owner may have prior to identifying the respondent who appears to offer the “best value” to Owner.

### 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](mailto:carmen.perez@tstc.edu)

Drop Off:  
Doris Turner  
Texas State Technical College, Patterson Hall  
103 10<sup>th</sup> Street  
Waco, Texas 76705  
Phone: 956.364.3757  
[doris.turner@tstc.edu](mailto:doris.turner@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 Danny de la Garza and Carmen Perez, @ [danny.delagarza@tstc.edu](mailto:danny.delagarza@tstc.edu) and [carmen.perez@tstc.edu](mailto:carmen.perez@tstc.edu) no later than **Thursday, November 7, 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	Friday, October 25, 2019
Pre-Submittal Conference (Mandatory)	Thursday, October 31, 2019 @10:00 AM
Deadline for Written Questions	Thursday, November 7, 2019 10:00 AM CST
Issuance of Addendum (if necessary)	Friday, November 8, 2019
Submittal Deadline	Tuesday, November 14, 2019 3:00 PM CST
Evaluation and Selection Period (tentative)	Monday, November 18, 2019
Interviews and Negotiations (optional)	November 25 <sup>th</sup> thru November 29 <sup>th</sup>
Award/Issuance of Purchase Order (tentative)	November 25 <sup>th</sup> thru November 29 <sup>th</sup>
Notice to Proceed	Monday, December 2, 2019
Substantial Completion Phase I	Wednesday, July 15 <sup>th</sup> , 2020
Substantial Completion Phase II	Friday, January 1, 2021

## **1.6 MANDATORY PRE-SUBMITTAL CONFERENCE:**

There will be a **MANDATORY** Pre-Submittal Conference on **Thursday, October 31, 2019 @10:00 A.M.** at the TSTC Industrial Technology Center Conference Room #232. The address is 26706 Southwest Freeway, Rosenberg, TX 77471

Questions and answers addressed during the site visit will be included in addendum issued on Friday, November 8, 2019.

## **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/tpasscmbsearch/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**

**The TSTC Fort Bend ITC Welding Technology / Diesel Technology and Electrical Lineworker Technology project will be the expansion of the existing ITC building and Expansion of the Lineworker Technology located at 2706 SW Freeway, Rosenberg, TX. 77471. The Project Scope will consist of constructing a second teaching lab addition adjacent to the Welding Technology Program in ITC, a second teaching lab adjacent to the Diesel Technology Program in ITC and an Addition adjacent to the Electrical Lineworker Technology Program.**

**Phase I: TSTC desires to substantially complete the Expansion of the ITC Diesel Technology Expansion and the Electrical Lineworker Expansion No Later than July 15<sup>th</sup>, 2020. The Diesel Technology Expansion is approximately 8,700 SF and the Electric Lineworker Technology Expansion is approximately 9,000 SF**

**Phase II: TSTC desires to substantially complete the Welding Technology Expansion No Later Than January 1<sup>st</sup>, 2021**

**The total Project Budget including equipment, owners cost, A/E Fees, and contingency is approximately \$6,000,000 to \$6,600,000**

**The scope of work for the selected respondent will also include, but not necessarily be limited to, assistance provided to the A/E during the following design phases:**

1. Development of Schematic Design.
2. Design Development
3. Construction Documents
4. **PBK** has been selected as the Architect on this project and is in the Schematic design phase of the project

**END SCOPE OF WORK for  
CMR Lineman Expansion – TSTC Ft. Bend**

## 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 insurance, 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 TBD

## **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

Respondents shall carefully read the information contained in the following criteria and submit a complete statement of Qualifications and Proposal to all questions. 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)**

#### CRITERIA ONE: RESPONDENT'S STATEMENT OF QUALIFICATIONS, PROPOSAL AND AVAILABILITY TO UNDERTAKE THE PROJECT (maximum 2 printed pages) \_\_\_\_\_

- Provide a statement of interest for the Projects including a narrative describing the respondent's unique qualifications as they pertain to this particular Project.
- Provide a statement on the availability and commitment of the respondent, its principal(s) and assigned professionals to undertake the Project. List the main project team members and provide a resume for each, including their experience with similar projects, the number of years with the firm, and their city(s) of residence.
- Provide Location of the Office that will be managing the project.

#### CRITERIA TWO: RESPONDENT'S PRE-CONSTRUCTION PHASE SERVICES

- Provide details of how your firm approaches Pre-construction Phase Services including fast tracking a project.

CRITERIA THREE: RESPONDENT'S ABILITY TO PROVIDE CONSTRUCTION MANAGER AT RISK SERVICES

- Provide the following information on your firm for the past three (3) fiscal years:
  - Volume - Annual number of projects
  - Revenues - Annual revenue totals
  
- Provide a statement regarding your firm's:
  - Total bonding capacity
  - Available bonding capacity and current backlog
  
- Identify if your firm 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 in both organization and company direction.
  
- Provide details of any litigation (or claims filed) against your firm during the last ten years.
  
- Identify if your firm 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.
  
- Does any relationship exist by relative, business associate, capital funding agreement, or any other such kinship between your firm and any Owner employee, officer or Regent? If so, please explain.

CRITERIA FOUR: Respondent's PAST PERFORMANCE ON REPRESENTATIVE CMR PROJECTS

- List the all proposed Team's past CMR projects within the last three (3) years. Select and present on the three most relevant projects, ( TECHNICAL EDUCATION) with the most relevant project listed first. Using no more than two pages per project provide the following information for each project listed:
  - Project name, location, contract delivery method, and description
  - Color images (photographic or machine reproductions)
  - Beginning and Final construction cost
  - Project size in gross square feet
  - Type of construction (new, renovation, or expansion)
  - Actual Date of Notice To Proceed for Pre-Construction Services
  - Actual Date of Notice To Proceed, Substantial Completion, and Final Payment dates for Construction Services
  - Name of Project Manager (individual responsible to the Owner for the overall success of the project)
  - Name of Project Superintendent (individual responsible for coordinating the day to day work)
  - Names of Mechanical, Plumbing and Electrical subcontractors
  - Names of Architectural, Engineering and Technical consultants
  
  - References (for each project listed above, identify the following):
    - The Owner's name and the name of the Owner's Representative who served as the day-to-day liaison during the design and construction phases of the project, including telephone number and current email address.
  
    - References shall be considered relevant based on specific project participation and experience with the Respondent. The Owner may contact references during any part of this process. The Owner reserves the right to contact any other references at any time during the RFP/P process. Failure to submit references may result in the Respondent's ineligibility to participate in the final Proposal Process.

CRITERIA FIVE: RESPONDENT'S EXPERIENCE WITH TEXAS STATE TECHNICAL COLLEGE AND OTHER HIGHER EDUCATION PROJECTS. EXPERIENCE ON TECHNICAL EDUCATION LABS WILL BE A PLUS

- Briefly describe the firm's experience on other Texas State Technical College projects.
- List Technical Education and Workforce Projects completed for Higher Education Agencies

CRITERIA SIX: RESPONDENT'S ABILITY TO ESTABLISH BUDGETS AND CONTROL COSTS ON PAST PROJECTS

- Give an example of your companies GMP process and final GMP document at a summary level
- Give examples of cost control and budgeting tools used by your firm

CRITERIA SEVEN: RESPONDENT'S ABILITY TO MEET SCHEDULES ON PAST PROJECTS

- Describe how you will develop, maintain and update the project schedule during design and construction to coordinate with the Owner's project schedule. Specifically show how you will facilitate the design schedule. From any of the projects listed in response to Section 3.4 of this RFP, provide examples of how these techniques were used.
- Provide a list of projects showing size, value, and construction duration showing how well you develop and maintain work schedules during design and construction to from Notice To Proceed to Completion. From any of the projects listed in response to Section 3.4 of this RFP, provide examples of how these techniques were used.

CRITERIA EIGHT: RESPONDENT'S SAFETY RECORD

- Summarize your firm's safety record for the last five years.
- Identify (if any) deaths that have occurred on a project site controlled by your firm, or any subcontractor(s) (at any contractual level), that had a death on your project site. Describe how you revised your program.



CRITERIA NINE: GUARANTEED MAXIMUM PRICE PROPOSAL FORM

- Preconstruction Services Fee
- General Conditions itemized Not to Exceed Price
- Markup on Cost of Work

Required Documents (Each section should be in a separate tab)

- HUB Subcontracting Plan (MUST BE SUBMITTED WITH THE PROPOSAL)
- Conflict of Interest Form (MUST BE SUBMITTED WITH PROPOSAL)
- Execution of Offer Form (MUST BE SUBMITTED WITH PROPOSAL)
- Preconstruction Fee, General Conditions Not to Exceed Price, Fee on Cost of Work

**NOTE: Uniform & Supplementary General Conditions (do not include with proposal)**  
**Insurance, Payment and Performance Bond (MUST BE SUBMITTED 10 DAYS AFTER**  
**AWARDED)**

**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.

<b>Criteria to be Evaluated</b>		<b>Points</b>
Criteria One:	RESPONDENT’S STATEMENT OF QUALIFICATIONS, PROPOSAL AND AVAILABILITY TO UNDERTAKE THE PROJECT	20
Criteria Two:	RESPONDENT’S PRE-CONSTRUCTION PHASE SERVICES VALUE	10
Criteria Three:	RESPONDENT’S ABILITY TO PROVIDE CONSTRUCTION MANAGER AT RISK SERVICES	5
Criteria Four:	RESPONDENT’S PAST PERFORMANCE ON REPRESENTATIVE CMR PROJECTS	10
Criteria Five:	RESPONDENT’S EXPERIENCE WITH TEXAS STATE TECHNICAL COLLEGE AND OTHER HIGHER EDUCATION PROJECTS VALUE	10
Criteria Six:	RESPONDENT’S ABILITY TO ESTABLISH BUDGETS AND CONTROL COSTS ON PAST PROJECTS	10
Criteria Seven:	RESPONDENT’S ABILITY TO MEET SCHEDULES ON PAST PROJECTS	10
Criteria Eight:	RESPONDENT’S SAFETY RECORD	10
Criteria Nine:	GUARANTEED MAXIMUM PRICE PROPOSAL FORM	15

## **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/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](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  
[https://drive.google.com/a/tstc.edu/file/d/16PAaaIe7wTdYfoPq3987b7RHDizqh\\_z3/view?usp=sharing](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](https://drive.google.com/a/tstc.edu/file/d/1-ic7Duh8I2I8Danun_sQ6FQY5bix5mr3/view?usp=sharing)
  
- FORM I: FEE PROPOSAL FORM  
<https://drive.google.com/file/d/17iMdyiZDwY5oY1AlbYLtsXipLFnE4JGH/view?usp=sharing>

## **ATTACHMENTS**

- ATTACHMENT A: SAMPLE CONTRACT

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

- ATTACHEMENT C: UNIFORM GENERAL CONDITIONS

[https://drive.google.com/file/d/1mTQFh0uz2ijuaAEN9fe\\_ylxgQUpB7YrT/view?usp=sharing](https://drive.google.com/file/d/1mTQFh0uz2ijuaAEN9fe_ylxgQUpB7YrT/view?usp=sharing)