



## **REQUEST FOR QUALIFICATIONS 201321 “REAL ESTATE MARKETING/BROKER SERVICES”**

**RFQ ISSUE DATE: June 12, 2013**

**Proposals Due: 1:00 PM, June 28, 2013**

### **PURPOSE**

The Texas State Technical College (TSTC) seeks proposals in response to this Request for Qualifications (“RFQ”) from individual consultants or firms with the qualifications and experience required to provide real estate marketing/brokerage services to TSTC. This RFQ is issued for the purpose of selecting real estate marketing/brokerage services to TSTC for commercial development at the TSTC Waco Airport.

Pursuant to § 2254.028, Texas Government Code, a finding by the chief executive officer of TSTC Waco has been made that the consulting services are necessary to ensure the College maximizes optimal performance of airport facilities. The external consultant will be able to devote extensive time towards bringing in corporate partners at the airport that will align with the College’s mission, and possibly place our graduates.

### **DIRECTION AND MANAGEMENT OF TSTC**

TSTC is governed by a nine-member Board of Regents, appointed by the Governor with the advice and consent of the Senate for six-year, staggered terms. The current members of the Board are: Ellis Skinner, J.V. Martin, Mike Northcutt, Joe Gurecky, John Hatchel, Joe Hearne, Linda McKenna, Penny Forrest, and Gene Seaman. Mike Reeser is the Chancellor of the TSTC System.

### **SCOPE OF SERVICES**

The real estate marketing/brokerage firm is to be responsible for all duties and services necessary or advisable to facilitate commercial development at the airport, including but not limited to:

1. perform a market analysis in an effort to identify the best commercial partners that could either align with current curriculum within the Aerospace Division or provide the best placement opportunities for our graduates;
2. devise and recommend a plan to market the airport for commercial development via long-term ground leases (Note: governing TxDOT ramp grant funding precludes the ability to sell any real estate associated with the airport);
3. work with the Airport Manager and TSTC Counsel to negotiate long-term ground leases for real estate development;
4. evaluate bids submitted for commercial development;
5. monitor and control costs of marketing said airport property for development;
6. coordinate real estate site inspections and transaction closings;
7. handle all other customary activities and services associated with real estate lease transactions. Services may include consultation with the Airport Manager and TSTC Counsel. Presentations at public meetings may be required as well; and
8. all other matters necessary or incidental to the marketing airport real estate for commercial development.

**In an effort to avoid any possible conflict of interest, the real estate marketing/brokerage firm selected will not be permitted to engage in any TSTC airport development activities during the term in which they serve as a real estate advisor/broker for the College and for up to 24 months from the time this engagement has terminated.**

## **FORM OF RESPONSE**

### **1. Overview of the Firm**

Provide a description of the firm, including general experience and history in airport real estate development, date founded, number of offices, location and number of professionals and employees in each office, total number of employees and professionals in the firm, description of specialty practice areas and firm philosophy. Indicate which office will be responsible for day-to-day contact with TSTC. Describe structure of the firm ownership (i.e., publicly held corporation, partnership, etc.) and any parents, affiliates or subsidiaries of the firm.

### **2. Qualifications**

- A. List the experience since January 2010, of the firm and/or the individual marketer/broker to be assigned to TSTC. This information may be presented in an Appendix, in chart form, organized to clearly indicate the type of specialty services provided.
- B. In narrative form, describe your experience and qualifications, including any necessary licenses, and how they relate to and would add unique value to TSTC in marketing the airport for commercial development. Include all warranties which TSTC would receive.

List any recent clients that you served as marketer/broker that were municipalities, State higher education agencies, or State agencies.

### **3. Resumes**

Provide resumes, which include each person's licensure, current office location, position with the firm, and years of experience, for those individuals who would be assigned to serve TSTC, and indicate specifically the proposed role of each individual. Specify who would be assigned as the primary day-to-day contact for TSTC and indicate the role they played in the transactions listed in number 2A, above.

### **4. Business Practices**

- A. Participation of minorities and women.

- (1) Please describe your previous experience and involvement working with HUB certified firms since January 2010 (if your firm is not HUB certified) or as a HUB certified firm.
- (2) Please describe efforts made by the firm to encourage and develop the participation of minorities and women in your firm's provision of real estate marketing/brokerage services, if any. Complete the grid describing workforce composition attached as Exhibit A, and if certified HUB, attach a copy of your certification.

### **5. Conflicts of Interest**

Please describe any potential conflicts of interest, specifically including any and all relationships with any member of the TSTC Board of Regents or TSTC administrators (Chancellor, Vice Chancellors, Presidents and Vice Presidents). In addition, identify each matter in which the firm has, within the past calendar year, represented any entity or individual with an interest adverse to TSTC or to the State of Texas, or any of its boards, agencies, commissions, universities, or elected or appointed officials.

### **6. References**

Please provide names, addresses, and phone numbers of two references.

### **7. Fee/Compensation Structure**

Please provide your fee structure, including if applicable, hourly rates, a per transaction maximum on hourly fees, flat fees, and per transaction cap on expenses (not to be exceeded without prior approval from TSTC). Please provide a minimum and a maximum cost of services. **Note – Preference will be given to fees and/or compensation tied to performance.**

## **PROPOSAL MODIFICATIONS**

Any response to this RFQ may be modified or withdrawn at any time prior to the proposal due date. No changes will be allowed after the expiration of the proposed due date. TSTC reserves the right to make amendments to the RFQ by giving written notice to all firms who receive the RFQ.

## **TIME SCHEDULE**

Proposals are due no later than 1:00 p.m., Friday, June 28, 2013. Deliver an original and one copy to:

### **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. \*\*\*

The submitted copy and one copy must be executed by a duly authorized representative of the firm. An unsigned proposal will not be accepted. Clearly mark the envelopes containing the proposals with the following phrase in the lower, left-hand corner: **“RESPONSE TO RFQ 201321 FOR AIRPORT REAL ESTATE DEVELOPMENT”**. All proposals become the property of TSTC. Proposals must set forth accurate and complete information as required by this RFQ. Oral instructions or offers will not be considered. Contact with Board Members regarding this RFQ is expressly prohibited and will result in disqualification of your firm from consideration.

Questions regarding this RFQ should be submitted, in writing, by electronic mail to Kevin Dorton, [Kevin.Dorton@tstc.edu](mailto:Kevin.Dorton@tstc.edu) with a copy to [David.Kofnovec@tstc.edu](mailto:David.Kofnovec@tstc.edu). Questions submitted later than July 21, 2013, may not be answered.

The TSTC Waco Facilities Committee will review the proposals.

## **CONTRACT FORMATION AND CONTRACT ADMINISTRATION INFORMATION**

TSTC has the sole discretion and reserves the right to reject any and all responses to this RFQ and to cancel the RFQ if it deemed in the best interest of TSTC to do so. Issuance of this RFQ in no way constitutes a commitment by TSTC to award a contract or to pay for any expenses incurred either in the preparation of a response to this RFQ or in the production of a contract for real estate marketing/brokerage services. Firms responding must maintain a Texas office staffed with personnel who are responsible for providing marketing/brokerage services to TSTC. All things being equal, the Board will give first consideration to firms headquartered in Texas, but in no event will any firm be reimbursed for travel expenses incurred within the State of Texas unless specifically authorized by TSTC.

TSTC will evaluate responses to this RFQ to identify the most highly qualified firm. The Committee's determination will be based solely on demonstrated competence, knowledge and qualifications and on the reasonableness of the proposed fees for the services. Any contract awarded will be an Indefinite Delivery/Indefinite Quantity agreement for the FY 2014-15 biennium and may be extended for an additional two years upon agreement between the parties.

TSTC reserves the right to negotiate all elements of the contract for real estate marketing/brokerage services and to approve all personnel assigned TSTC's work. If personnel assignments are to be changed, the firm will have to submit resumes of those to be assigned and their addition to the contract will be subject to TSTC's approval.

Further, the Board reserves the right to terminate a resulting contract for real estate marketing/brokerage services, for any reason, subject to thirty (30) days prior written notice, and upon payment of earned fees and expenses accrued as of the date termination.

## **PERFORMANCE TRACKING**

TSTC will monitor performance of any contract issued pursuant to this RFQ. All services under this contract must be performed at an acceptable quality level and in a manner consistent with acceptable industry standards, custom and practice. TSTC shall require financial, progress, quality and other reports from the Consultant as are necessary to enable TSTC to comply with any reporting requirements and to substantiate any monies paid to the Consultant, or as TSTC deems relevant to furthering its mission pursuant to this RFQ.

## **COST INCURRED IN RESPONDING**

All costs directly or indirectly related to preparation of a response to this RFQ or any supplemental information required to clarify your original response shall be the sole responsibility of, and shall be borne by, your firm.

## **RELEASE OF INFORMATION AND OPEN RECORDS**

Information submitted in response to this RFQ shall not be released by TSTC during the proposal evaluation process. After the evaluation process is completed as determined by the Board, all proposals and the information contained therein may be subject to public disclosure under the Public Information Act, *Texas Government Code*, Chapter 552. TSTC reserves the right to use any and all ideas presented in a response unless the prospective consultant provides a valid legal case that such ideas are trade secret or confidential information, and identifies the information as such in the manner described in Chapter 552. A prospective consultant may not object to the use of ideas that: (1) are not the prospective consultant's legally protectable intellectual property; (2) are not designated as such in the RFQ response; (3) were known to TSTC before the submission of the response; (4) were in the public domain at the time of the response, or thereafter enter the public domain through no fault of TSTC; or (5) became properly known to TSTC after response submission through other sources or through acceptance of the response.

## **BASIS OF AWARD**

Each proposal must identify its plan to provide commercial development to the TSTC Waco Airport. The Committee will make its selection based on demonstrated competence, experience, knowledge and qualifications, as well as the reasonableness of the proposed fee.

All things being equal, the Committee will give first consideration to firms whose principal place of business is located in Texas. By this RFQ, however, TSTC has not committed itself to employ a real estate marketing/brokerage firm nor does the suggested scope of service or term of agreement indicated herein require that the firm be employed for any or all of those purposes. The Committee reserves the right to make those decisions after receipt of proposals and the Committee's decision on these matters is final.