

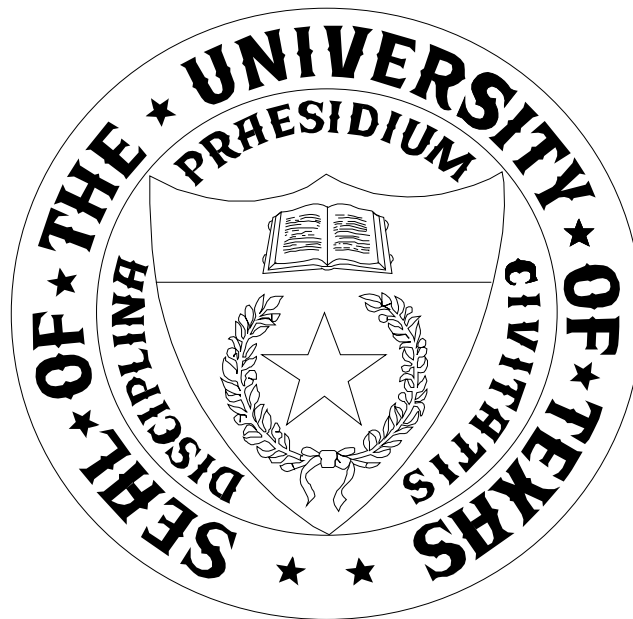
**REQUEST FOR QUALIFICATIONS FOR
DESIGN/BUILD**

**THE UNIVERSITY OF TEXAS AT ARLINGTON
COOPER STREET BRIDGES REVITALIZATION
RFQ No.: FM2023-006**

RFQ SUBMITTAL DUE DATE: April 7, 2023

HUB SUBCONTRACTING PLAN SUBMITTAL DUE DATE: April 7, 2023

RFQ ISSUE DATE: March 10, 2023



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REQUEST FOR QUALIFICATIONS FOR
DESIGN/BUILD
THE UNIVERSITY OF TEXAS AT ARLINGTON
COOPER STREET BRIDGE REVITALIZATION
RFQ No.: *FM2023-006*

SECTION 1 – GENERAL INFORMATION & REQUIREMENTS

- 1.1 **GENERAL INFORMATION:** The University of Texas at Arlington (“Owner”) is soliciting statements of qualifications (“Qualifications”) for selection of a Design/Build firm for ***Cooper Street Bridges Renovation RFQ #FM2023-006*** (“Project”), in accordance with the terms, conditions, and requirements set forth in this Request for Qualifications.
- 1.1.1 This Request for Qualifications (“RFQ”) is the first step in a three-step process for selecting a Design/Build firm for the Project as provided by Texas Education Code §51.780(f)(1). The RFQ provides the information necessary to prepare and submit Qualifications for consideration and initial ranking by the Owner. Based on the initial ranking, the Owner may select up to five (5) of the top ranked Qualification respondents to respond to a separate Request for Proposals in the second step of the process.
- 1.1.2 In the second step of the process, Request for Proposals (“RFP”), the top selected Qualifications respondents will be required to submit additional information to the Owner, including fee proposals and general conditions prices (“Proposals”). The Owner will rank the Proposals in the order that they provide the “best value” for the Owner based on the published selection criteria and on the ranking evaluations.
- 1.1.3 In the third step of the process, Interviews, the “most” qualified respondents will be requested to attend an interview with the Owner to confirm their Proposal and answer additional questions. The Owner will then rank the remaining “most” qualified respondents in order to identify a “best value”.
- 1.2 **PUBLIC INFORMATION:** All information, documentation, and other materials submitted in response to this solicitation are considered non-confidential and/or non-proprietary and are subject to public disclosure under the Texas Public Information Act (*Texas Government Code*, Chapter 552.001, *et seq.*) after the solicitation is completed.
- 1.2.1 The Owner strictly complies with all statutes, court decisions, and opinions of the Texas Attorney General with respect to disclosure of RFQ information.
- 1.3 **TYPE OF CONTRACT:** Any contract resulting from this solicitation will be in the form of the Owner’s Standard Design/Build Contractor Agreement, a copy of which is attached to this RFQ.
- 1.4 **CLARIFICATIONS AND INTERPRETATIONS:** Any clarifications or interpretations of this RFQ that materially affect or change its requirements will be posted by the Owner as an addendum on the Electronic State Business Daily (ESBD) website at <http://www.txsmartbuy.com/sp>. It is the responsibility of all respondents to obtain this information in a timely manner. All such addenda issued by the Owner before the proposals are due as part of the RFQ, and respondents shall acknowledge receipt of and incorporate each addendum in its Qualifications.
- 1.4.1 Respondents shall consider only those clarifications and interpretations that the Owner issues by addenda seven (7) business days prior to the submittal deadline shall be considered by

respondents. Interpretations or clarifications in any other form, including oral statements, will not be binding on the Owner and should not be relied on in preparing Qualifications.

1.4.2 All questions must be received by 5:00 p.m. on Friday, March 24, 2023.

1.5 SUBMISSION OF QUALIFICATIONS:

1.5.1 DEADLINE AND LOCATION: The Owner will receive Qualifications at the time and location described below.

Friday, April 7, 2023 at 3:00 p.m. local time

**The University of Texas at Arlington
Office of Facilities Management
1225 West Mitchell Street, Suite 205
Arlington, TX 76013**

1.5.2 Submit **one (1) original and six (6)** identical copies of the Qualifications and one (1) PDF copy on flash drive. An original signature must be included on the “Respondent’s Statement of Qualifications and Ability To Undertake The Project” document submitted with each copy.

1.5.3 Submit one (1) original and one (1) copy of the HUB Subcontracting Plan (HSP) as separate attachments to the Qualifications as described in Section 5.2.

1.5.4 Late received Qualifications will be returned to the respondent unopened.

1.5.5 The Owner will not acknowledge or receive Qualifications that are delivered by telephone, facsimile (fax), or electronic mail (e-mail).

1.5.6 Properly submitted Qualifications will not be returned to respondents.

1.5.7 Qualifications materials must be enclosed in a sealed envelope (box or container) addressed to the Point of Contact person; the package must clearly identify the submittal deadline, the RFQ number, and the name and return address of the respondent.

1.5.8 Properly submitted Qualifications will be opened publicly and the names of the respondents will be read aloud.

1.6 POINT-OF-CONTACT: The Owner designates the following person, as its representative and Point-of-Contact for this RFQ. Respondents shall restrict all contact with the Owner and direct all questions regarding this RFQ, including questions regarding terms and conditions, to the Point-of-Contact person.

The University of Texas at Arlington
Office of Facilities Management
Attn: Viki Lewis, Contract Specialist
1225 W. Mitchell Street, Suite 205
Arlington, Texas 76013
Fax: (817) 272-0192
E-mail: vlewis@uta.edu

- 1.7 **EVALUATION OF QUALIFICATIONS**: The evaluation of the Qualifications shall be based on the requirements described in this RFQ. All properly submitted Qualifications will be reviewed, evaluated, and ranked by the Owner. The top five or fewer ranked respondents may be selected by the Owner to participate in step two of the selection process.
- 1.7.1 Qualifications shall not include any information regarding respondent’s fees, pricing, or other compensation. Such information will be solicited from firms qualified by the Owner to participate in step two of the selection process.
- 1.8 **OWNER’S RESERVATION OF RIGHTS**: The Owner may evaluate the Qualifications based on the anticipated completion of all or any portion of the Project. The Owner reserves the right to divide the Project into multiple parts, to reject any and all Qualifications and re-solicit for new Qualifications, or to reject any and all proposals and temporarily or permanently abandon the Project. Owner makes no representations, written or oral, that it will enter into any form of agreement with any respondent to this RFQ for any project and no such representation is intended or should be construed by the issuance of this RFQ.
- 1.9 **ACCEPTANCE OF EVALUATION METHODOLOGY**: By submitting its Qualifications in response to this RFQ, respondent accepts the evaluation process and acknowledges and accepts that determination of the “most qualified” firm(s) will require subjective judgments by the Owner.
- 1.10 **NO REIMBURSEMENT FOR COSTS**: Respondent acknowledges and accepts that any costs incurred from the respondent’s participation in this RFQ process shall be at the sole risk and responsibility of the respondent. Respondents submit Qualifications and Proposals at their own risk and expense.
- 1.11 **PRE-SUBMITTAL CONFERENCE**: An **OPTIONAL** pre-submittal conference will be held at the time and location described below .

Tuesday, March 21, 2023 at 11:00 am local time

**The University of Texas at Arlington
Commons – Nueces Rm.
440 West Nedderman Dr.
Arlington, TX 76019**

Visitor Parking located in the West Garage
<https://parking.honkmobile.com/hourly/zones/8051>

There will be an optional “How to successfully complete the HUB Subcontracting Plan (HSP)” conference call which will be held on **Wednesday, March 22, 2023 at 2:30 p.m.** To view presentation materials join on your computer or mobile app via [Click here to join the meeting](#) For audio only, the call-in number is **(817) 502-2418** and the Phone Conference ID# is: **599 559 730#**. All methods for completing the plan will be covered in the session, with time allotted for questions and answers. We encourage your HSP preparer’s attendance of this session to ensure meeting Texas HUB Subcontracting Plan requirements and avoid your bid being disqualified.

- 1.12 **ELIGIBLE RESPONDENTS**: Only individual firms or lawfully formed business organizations may apply (This does not preclude a respondent from using consultants.) The Owner will contract only with the individual firm or formal organization that submits a Qualification.

- 1.13 HISTORICALLY UNDERUTILIZED BUSINESSES SUBMITTAL REQUIREMENTS: It is the policy of The University of Texas System, and each of its component institutions, to promote and encourage contracting and subcontracting opportunities for Historically Underutilized Businesses (HUB) in all contracts. Accordingly, The University of Texas at Arlington has adopted Exhibit H, Policy on Utilization of Historically Underutilized Businesses (See attached). The Policy applies to all contracts with an expected value of \$100,000 or more. If The University of Texas at Arlington determines that subcontracting opportunities are probable, then a HUB Subcontracting Plan is a required element of the Qualifications. Failure to submit a required HUB Subcontracting Plan will result in rejection of the Qualifications.
- 1.13.1 STATEMENT OF PROBABILITY: The University of Texas at Arlington, has determined that subcontracting opportunities are probable in connection with this procurement solicitation. Therefore, a HUB Subcontracting Plan (HSP) is required as a part of the respondent's Qualifications. The respondent shall develop and administer a HSP as a part of the respondent's Qualifications in accordance with the OFPC Policy on Utilization of Historically Underutilized Businesses (HUB), Exhibit H.
- 1.13.2 Refer to Exhibit H, Policy on Utilization, Historically Underutilized Business (attached) and the Summary of Requirements for a detailed list of attachments required with the Qualifications.
- 1.13.3 Submit **one (1) original and one (1) copy** of the HUB Subcontracting Plan (HSP) as separate attachments to the Qualifications as described in Section 5.2.
- 1.14 SALES AND USE TAXES: Texas Tax Code Section 151.311 provides that certain tangible personal property incorporated into realty or consumed at the jobsite in the performance of a contract for an improvement to realty for certain exempt entities, including The University of Texas System, are exempt from state sales tax. Section 150.311 also provides that certain otherwise taxable services performed at the jobsite are exempt from taxes on University of Texas System projects. It is the responsibility of the Respondent to incorporate allowable tax savings into its Proposal.
- 1.15 CERTIFICATION OF FRANCHISE TAX STATUS: Corporate or limited liability company Respondents are advised that if successful it will be required to submit certification that it is not delinquent in the payment of any franchise tax status due under Chapter 171 of the Texas Tax Code, or that it is exempt from the payment of such taxes, or that it is an out-of-state legal entity and not subject to the Texas Franchise Tax, whichever is applicable. The Respondent further agrees that each subcontractor and supplier under contract will also provide an appropriate certification of franchise tax status.
- 1.16 PREVAILING MINIMUM WAGE RATE DETERMINATION: Respondents are advised that the Texas Prevailing Wage Law applies to this Project will be administered in accordance with the University of Texas General Conditions for Building Construction Contracts and the policies and procedures set forth in the U. T. System document, entitled "Prevailing Wage Guidelines." A copy is attached to the Special Conditions.

DELINQUENCY IN PAYING CHILD SUPPORT: Pursuant to Texas Family Code Section 231.006, the vendor or applicant certifies that the individual or business entity named in this contract, bid, or application is not ineligible to receive the award of or payment for the Project and acknowledges that any agreement may be terminated and payment may be withheld if this certification is inaccurate.

1.18 ETHICS & STANDARD OF CONDUCT EI-PR1: This administrative policy (<https://policy.uta.edu/doctract/documentportal/08D88B196DD1A0C4EF5E7A7CBACBFC1F>) defines, and in most cases restricts, the benefits, gifts, honoraria and other entertainment activities that staff may be exposed to and supplements any provisions of state law or UT System rule or policy that is less restrictive. The policy covers “Conflicts of Interest” not allowed, and items typically allowed. All respondents shall endeavor to use the appropriate judgement related to the requirements and actions defined in the policy, during both the procurement phase and the contracting phase.

1.17 DISCLOSURE OF INTERESTED PARTIES STATUTE: In its proposal, Respondents must agree to comply with Section 2252.908, Texas Government Code (“Disclosure of Interested Parties Statute”) and 1 Texas Administration Code Sections 46.1 through 46.3 (“Disclosure of Interested Parties Regulations”) as implemented by the Texas Ethics Commission (“TEC”), including, among other things, providing the TEC and University with the information required by the Disclosure of Interested Parties Statute and the Disclosure of Interested Parties Regulations on the form promulgated by the TEC and set forth in APPENDIX EIGHT. The form will be required to be submitted to Owner prior to the countersigning of the final agreement and not submitted with this RFP.

1.18 CRIMINAL BACKGROUND CHECKS. Individual who is assigned to perform the Work under this Agreement will be an employee of the Contractor or an employee of a permitted subcontractor engaged by the Contractor. Contractor is responsible for the performance of all individuals performing the Work under this Agreement. Prior to commencing the Work, Contractor will (1) provide University with a list ("List") of all individuals who may be assigned to perform the Work, and (2) have an appropriate criminal background screening performed on all such individuals within the last twelve (12) months. Contractor shall determine on a case-by-case basis whether each individual assigned to perform the Work is qualified to provide such services. Contractor will not knowingly assign any individual to provide services on University’s campus who has a history of criminal conduct unacceptable for a university campus, including:

- 1) Drug distribution activity or felony drug possession
- 2) Sexual offenses
- 3) Crimes of violence involving physical injury to another person
- 4) Child abuses, molestation or other crimes involving child endangerment
- 5) Murder
- 6) Kidnapping
- 7) Theft or embezzlement
- 8) Any crime involving moral turpitude

Contractor will update the List each time there is a change in the individuals assigned to perform the Work.

Prior to commencing performance of the Work under this Agreement, Contractor will provide University a letter signed by an authorized representative certifying compliance with this Section. Contractor will provide University an updated certification letter each time there is a change in the individuals assigned to perform the Work.

1.19 UNDOCUMENTED WORKERS: The *Immigration and Nationality Act (8 United States Code 1324a)* (“Immigration Act”) makes it unlawful for an employer to hire or continue employment of

undocumented workers. The United States Immigration and Customs Enforcement Service has established the Form I-9 Employment Eligibility Verification Form (“I-9 Form”) as the document to be used for employment eligibility verification (8 *Code of Federal Regulations* 274a). Among other things, Contractor is required to: (1) have all employees complete and sign the I-9 Form certifying that they are eligible for employment; (2) examine verification documents required by the I-9 Form to be presented by the employee and ensure the documents appear to be genuine and related to the individual; (3) record information about the documents on the I-9 Form, and complete the certification portion of the I-9 Form; and (4) retain the I-9 Form as required by Applicable Laws. It is illegal to discriminate against any individual (other than a citizen of another country who is not authorized to work in the United States) in hiring, discharging, or recruiting because of that individual's national origin or citizenship status. If Contractor employs unauthorized workers during performance of this Project in violation of the Immigration Act then, in addition to other remedies or penalties prescribed by Applicable Laws, University may terminate this Agreement. Contractor represents and warrants that it is in compliance with and agrees that it will remain in compliance with the provisions of the Immigration Act.

- 1.20 DISCLOSURE REQUIREMENTS: As part of the contract execution process, and as required by House Bill 1295, the successful Proposer will be required to complete and submit Form 1295 “Certificate of Interested Parties” for certain types of contracts expected to exceed \$1 million over the potential life of the contract. The form can be downloaded at <https://www.ethics.state.tx.us/filinginfo/1295/>. The form requires disclosure of parties with controlling interest and/or any intermediaries acting on behalf of the Proposer.

“Controlling Interest” means

- 1) an ownership interest or participating interest in a Business Entity by virtue of units, percentage, shares, stock or otherwise that exceeds 10 percent;
- 2) membership on the board of directors or other governing body of a Business Entity of which the board or other governing body is composed of not more than 10 members; or
- 3) service as an officer of a business entity that has four or fewer officers, or service as one of the four officers most highly compensated by a Business Entity that has more than four officers.

“Intermediary” means a person who actively participates in the facilitation of the contract or negotiating the contract, including a broker, adviser, attorney, or representative of or agent for the Business Entity who:

- 1) Receives compensation from the Business Entity for the person’s participation;
- 2) Communicates directly with the UT Institution on behalf of the Business Entity regarding the contract; and
- 3) Is not an employee of the Business Entity

SECTION 2 – EXECUTIVE SUMMARY

2.1 HISTORICAL BACKGROUND:

The University of Texas at Arlington ("University") is a comprehensive public university located in the dynamic and growing Dallas-Fort Worth Metroplex. The University campus has a population of approximately 50,000 students, faculty, and staff. University offers over 180 degree programs to a global enrollment of more than 60,000 students. University has approximately 7,000 full-time and part-time employees. The University's main campus in Arlington includes approximately 420 acres, 117 buildings, and 7,126,747 gross square feet. Two other satellite campuses operated by University are located in Fort Worth, Texas, at the University of Texas at Arlington Research Institute, and the University of Texas at Arlington Fort Worth Center at Santa Fe Station.

2.2 MISSION STATEMENT:

The University of Texas at Arlington is a comprehensive research, teaching, and public service institution whose mission is the advancement of knowledge and the pursuit of excellence. The University is committed to the promotion of lifelong learning through its academic and continuing education programs and to the formation of good citizenship through its community service learning programs. The diverse student body shares a wide range of cultural values and the University community fosters unity of purpose and cultivates mutual respect.

2.3 PROJECT DESCRIPTION, SCOPE, AND BUDGET:

The campus held a design competition with the College of Architecture, Planning, and Public Affairs to reimagine the experience of crossing Cooper Street between the east and west sides of campus. Using the winning design as inspiration, the project will entail updating the north and south bridges that span across Cooper St, through new skin, lighting, shade elements, and accessibility. There is currently no intention to touch the structure, so it is important that the current bridge be able to support the new design.

Due to the logistics involved with crossing Cooper Street, TXDOT will need to be involved throughout the design and construction phases.

The anticipated Preliminary Project Cost (PPC) for this project is \$2,500,000. The PPC includes a Construction Cost Limitation (CCL) for the Design/Build team of \$2,200,000, which includes Architect/Engineer fees, preconstruction costs, and abatement of lead paint. Fees, permits, miscellaneous expenses, and contingencies make up the balance of the PPC.

2.4 PROJECT PLANNING SCHEDULE: Key Project planning schedule milestones are:

- Owner issues Request For Qualifications *March 10, 2023*
- Owner receives Request For Qualifications *April 7, 2023*
- Owner issues Request For Proposals (to short-listed firms) *April 14, 2023*
- Owner receives Request For Proposals *April 21, 2023*
- Owner interviews Respondents *April 28, 2023*
- Owner executes Agreement *May 5, 2023*
- Owner authorizes start of Schematic Design Documents *May 8, 2023*
-

- **Following Date are TBD – based on requested schedule in this RFQ**
 - Owner approves Schematic Design and authorize start of Design Dev.
 - Owner approves Design Development Documents
 - Owner requests Guaranteed Maximum Price Proposal
 - Owner authorizes start of CD Phase
 - Owner issues Notice to Proceed for Construction *Fall, 2023*
 - Owner accepts Substantial Completion of Construction *Spring, 2024*
 - D/B Contractor achieves Final Completion of Construction *Spring, 2024*

2.5 **OWNER’S SPECIAL CONDITIONS:** The Owner requires full compliance with specification Division 0: Contract Requirements and Division 1: General Requirements. These specifications shall be a part of the Agreement (attached).

SECTION 3 – REQUIREMENTS FOR STATEMENT OF QUALIFICATIONS

Respondents shall carefully read the information contained in the following criteria and submit a complete statement of Qualifications to all questions in Section 3 formatted as directed in Section 4. Incomplete Qualifications will be considered non-responsive and subject to rejection.

3.1 **CRITERIA ONE: RESPONDENT’S ABILITY TO MANAGE CONSTRUCTION SAFETY RISKS:**

The Vision of The University of Texas System is to eliminate workplace injuries on all UT System construction projects. We consider safety a core value within our organization and attach the highest importance to this section in scoring evaluation.

NOTE: This section shall be addressed by the corporate safety director and within their response the firm shall provide the signature of the corporate safety director attesting to that fact. The response to Criterion One may be reviewed by the Owner’s safety professional.

- 3.1.1 Briefly describe the firm’s approach for anticipating, recognizing and controlling safety risks and note the safety resources that the firm provides for each project’s Safety program.
- 3.1.2 Describe the process used to evaluate Project Safety performance that the firm includes in performance evaluations for Superintendents and Project Managers. Detail the criteria used in evaluations and requirements for continuing safety education.
- 3.1.3 Describe the Safety Performance and Insurance/Claims History information and weighting that the firm evaluates in the submission and award process in selection of “best value” Subcontracts.
- 3.1.4 For all projects that the firm has managed (or co-managed) in the past five (5) years, list and describe all events or incidents that have reached any of the following levels of severity:
 - Any occupational illness or injury that resulted in death or total and permanent disability
 - Three occupational illnesses or injuries that resulted in hospital admittances
 - Explosion, fire or water damage that claimed 1% of the project’s construction value
 - Failure, collapse, or overturning of a scaffold, excavation, crane or motorized mobile equipment when workers were present at the project site

- 3.1.5 Does the firm or any other company within the same holding group of companies self-perform any work beyond General Conditions?
- 3.1.6 Identify the firm's Experience Modification Rate (EMR) for the five (5) most recent annual insurance-year ratings and the North American Industry Classification System (NAICS) code used to determine your organization's EMR.
- 3.1.7 Identify the firm's annual OSHA Recordable Incident Rate (RIR) for all work performed during the past five (5) calendar years.
 - 3.1.7.1 If the firm has performed work for UT System in the past and been enrolled in the Rolling Owner's Controlled Insurance Program, provide a list of each individual project(s) managed and the overall project RIR for each.
- 3.1.8 Identify the firm's annual OSHA Days Away From Work Incident Rates (DAFW) for all work performed during the past five (5) calendar years.
 - 3.1.8.1 If the firm has performed work for UT System in the past and been enrolled in the Rolling Owner's Controlled Insurance Program, provide a list of the individual project(s) managed and the overall project DAFW for each.
- 3.1.9 List any OSHA citations your firm has been issued during the last five (5) years and final outcome of each.

3.2 CRITERIA TWO: RESPONDENT'S STATEMENT OF QUALIFICATIONS AND AVAILABILITY TO UNDERTAKE THE PROJECT: (Maximum of two (2) printed pages per question)

- 3.2.1 Provide a statement of interest for the Project including a narrative describing the respondent's unique qualifications as they pertain to this particular Project.
- 3.2.2 Provide a statement on the availability and commitment of the respondent, its principal(s) and assigned professionals to undertake the Project.
- 3.2.3 Provide a brief history of the Prime Firm and each consultant proposed for the project.
- 3.2.4 Provide a graphic representation of the project team, identifying the Prime Firm and each consultant proposed for the project.

3.3 CRITERIA THREE: RESPONDENT'S ABILITY TO PROVIDE DESIGN/BUILD SERVICES:

- 3.3.1 Provide the following information on your firm for the past **five** (5) fiscal years:
 - Volume
 - Annual number, value and percent change of contracts in Texas per year;
 - Annual number, value and percent change of contracts nationally per year;
 - Revenues
 - Annual revenue totals and percent change per year;
 - Bonding
 - Total bonding capacity;
 - Available bonding capacity and current backlog;

- 3.3.2 Attach a letter of intent from a surety company indicating your firm's ability to bond for the entire construction cost of the project. The surety shall acknowledge that the firm may be bonded for each stage/phase of the project, with a potential maximum construction cost of **\$2,500,000**. Bonding requirements are set forth in Article 17 of the Agreement and the Uniform General Conditions for University of Texas System Building Construction Contracts
- 3.3.3 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 both in organization and company direction.
- 3.3.4 Provide details of any past or pending litigation, or claims filed, against your firm that may affect your performance under a Contract with the Owner.
- 3.3.5 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.
- 3.3.6 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.

3.4 CRITERIA FOUR: QUALIFICATIONS OF DESIGN/BUILD TEAM:

- 3.4.1 Describe your management philosophy for the Design/Build construction delivery method.
- 3.4.2 Provide resumes of the Design/Build team that will be directly involved in the Project, including their experience with similar projects, the number of years with the firm, and their city(s) of residence.
- 3.4.3 Describe, in graphic and written form, the proposed Project assignments and lines of authority and communication for each team member to be directly involved in the Project. Indicate the estimated percent of time these team members will be involved in the Project for Pre-construction and Construction Services. Affirm that the individuals identified will be committed for the entire duration of the project.
- 3.4.4 Identify the proposed team members (including consultants) who worked on the Projects listed in Section 3.5 of this RFQ, and describe their responsibility in those projects compared to this project.
- 3.4.5 Identify any consultants that are included as part of the proposed team, their role related experience for this Project. List projects for which the consultant(s) has worked with the respondent.

3.5 CRITERIA FIVE: RESPONDENT'S PAST PERFORMANCE ON REPRESENTATIVE DESIGN/BUILD PROJECTS:

- 3.5.1 Identify and describe the proposed Team's past experience for providing Design/Build Services that are MOST RELATED TO THIS PROJECT within the last five (5) years. List the projects in order of priority, with the most relevant project listed first. Provide the following information for each project listed:

- Project name, location, contract delivery method, and description
- Color images (photographic or machine reproductions)
- Final construction cost
- Final project size in gross square feet
- Type of construction (new, renovation, or expansion)
- Actual Notice To Proceed for Pre-Construction Services
- Actual 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 Electrical subcontractors
- Names of Architectural, Engineering and Technical consultants.

References (for each project listed above, identify the following):

- The Owner's name and representative who served as the day-to-day liaison during the design and construction phases of the project, including telephone number
- Architect/Engineer's name and representative who served as the day-to-day liaison during the construction phase of the project, including telephone number
- Length of business relationship with the Owner.

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 RFQ/P process.

- 3.5.2 Identify a maximum of three (3) completed projects, of any type, for which your firm has received an award for construction excellence from a recognized organization and provide descriptive information for each.

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

- 3.6.1 Describe your fiduciary responsibility as a Design/Build Contractor using Guaranteed Maximum Price contracts for publicly funded projects.
- 3.6.2 Describe your cost estimating methods. From any of three (3) projects listed in response to Section 3.5 of this RFQ, describe how the estimates were developed, how often they were updated and the degree of accuracy achieved.
- 3.6.3 Describe your cost control methods during construction and how you procure subcontracts, confirm scope, amount, and ensure proper payment. From any three (3) projects listed in response to Section 3.5 of this RFQ, provide examples of how these techniques were used and the degree of accuracy achieved
- 3.6.4 Describe your methodology for working with the Project Architect/Engineer and their consultants to deliver a Guaranteed Maximum Price and to maintain the GMP throughout the design and construction process.

- 3.6.5 Provide a sample of a cost estimate used to establish a contract amount from any project listed in Section 3.5 of this RFQ.
- 3.6.6 The Owner intends to accept a Guaranteed Maximum Price prior to completion of Construction Documents. Describe 1) Your process for ensuring that the Design Documents provide the information necessary to arrive at a complete GMP, including all Owner requirements with reasonable contingencies, and 2) Your process for subsequently ensuring that the 100% Construction Documents align with the project scope in the previously accepted GMP proposal documents.

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

- 3.7.1 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 manage design consultants to maintain the design schedule. From any three (3) projects listed in response to Section 3.5 of this RFQ, provide examples of how these techniques were used.
- 3.7.2 **Project completion date is Spring, 2024.** Describe your approach to assuring timely completion of this project, including methods for schedule recovery, if necessary. From any three (3) of the projects listed in response to Section 3.5 of this RFQ, provide examples of how these techniques were used, including specific scheduling challenges/requirements and actual solutions.
- 3.7.3 Describe how you develop and maintain work schedules during design and construction to coordinate with the Owner’s project schedule. From any three (3) projects listed in response to Section 3.5 of this RFQ, provide examples of how these techniques were used.
- 3.7.4 Provide your design-build schedule for this project. Include the following in your schedule: a) Schematic Design Phase; b) Design Development Phase; c) Construction Document Phase; e) time needed for GMP; f) NTP date; g) Substantial Completion date. Identify any long lead items.

3.8 CRITERIA EIGHT: RESPONDENT’S KNOWLEDGE OF CURRENT DESIGN AND CONSTRUCTION METHODOLOGIES, TECHNOLOGIES, AND BEST PRACTICES:

- 3.8.1 Describe your quality assurance program. Explain the methods used to ensure quality control during the Construction phase of a project. Provide specific examples of how these techniques or procedures were used from any three (3) projects listed in response to Section 3.5 of this RFQ.
- 3.8.2 Describe your procedures for implementing industry’s “best practices” as defined by the Construction Industry Institute and similar organizations for:
- Establishing and tracking project objectives
 - Using project scope definition resources (i.e. Project Definitions Rating Index (PDRI)) in order to obtain complete and accurate design and construction documents from the A/E
 - Partnering

- Cost tracking
 - Change (order) management systems
 - Total quality management for each phase, including close-out and commissioning
- 3.8.3 Provide an example of a successful constructability program used to maintain project budgets without sacrificing quality.
- 3.8.4 Provide a list of subcontractors that you have worked with in the past that you feel would be qualified to work on this project. Describe what you do to grow capacity in the subcontracting market, including with Historically Underutilized Businesses. Describe how you achieve timely payments to subcontractors to assure that their cash flow does not impact their ability to perform.
- 3.8.5 Describe your past experience dealing with congested campuses/site conditions for any project listed in Section 3.5 of this RFQ. Describe how you will apply that experience to this project site, understanding that only minimal lay down area will be available and no construction personnel parking, except for office management team and subcontractor superintendents. Total number of spaces on site will not exceed 20.
- 3.8.6 Provide any other details regarding special services, products, advantages or other benefits offered to the Owner by the Respondent.
- 3.8.7 Describe your experience with incorporating sustainable design ideas into atypical projects.
- 3.9 CRITERIA NINE: RESPONDENT’S ABILITY TO IDENTIFY AND RESOLVE PROBLEMS ON PAST PROJECTS:
- 3.9.1 Describe your understanding of the administrative challenges and opportunities associated with providing Preconstruction and Construction services for The University of Texas System on this project, and your strategy for resolving these issues.
- 3.9.2 Understanding the schedule limitations, provide an analysis of the Owner’s project planning schedule in Section 2.4 of this RFQ and describe your plan for communicating constructability, phasing, value engineering and other budget options in a form that will quickly facilitate the Owner’s decision making.
- 3.9.3 For any combination of three (3) projects listed in response to Section 3.5 of this RFQ, describe any conflicts with the Owner, Consultants, Architect/Engineer, or subcontractors and describe the methods used by the Respondent to resolve those conflicts.

3.10 CRITERIA TEN: EXECUTION OF OFFER:

NOTE TO RESPONDENTS: SUBMIT ENTIRE SECTION WITH RESPONSE.

THIS EXECUTION OF OFFER MUST BE COMPLETED, SIGNED, AND RETURNED WITH THE RESPONDENT'S QUALIFICATIONS. FAILURE TO COMPLETE, SIGN AND RETURN THIS EXECUTION OF OFFER WITH THE QUALIFICATIONS MAY RESULT IN REJECTION OF THE QUALIFICATIONS.

SIGNING A FALSE STATEMENT MAY VOID THE SUBMITTED QUALIFICATIONS OR ANY AGREEMENTS OR OTHER CONTRACTUAL ARRANGEMENTS, WHICH MAY RESULT FROM THE SUBMISSION OF RESPONDENT'S QUALIFICATIONS, AND THE RESPONDENT MAY BE REMOVED FROM ALL PROPOSER LISTS. A FALSE CERTIFICATION SHALL BE DEEMED A MATERIAL BREACH OF CONTRACT AND, AT OWNER'S OPTION, MAY RESULT IN TERMINATION OF ANY RESULTING CONTRACT OR PURCHASE ORDER.

- 3.10.1 By signature hereon, Respondent acknowledges and agrees that (1) this RFQ is a solicitation for Qualifications and is not a contract or an offer to contract; (2) the submission of Qualifications by Respondent in response to this RFQ will not create a contract between the Owner and Respondent; (3) the Owner has made no representation or warranty, written or oral, that one or more contracts with the Owner will be awarded under this RFQ; and (4) Respondent shall bear, as its sole risk and responsibility, any cost which arises from Respondent's preparation of a response to this RFQ.
- 3.10.2 By signature hereon, Respondent offers and agrees to furnish to the Owner the products and/or services more particularly described in its Qualifications, and to comply with all terms, conditions and requirements set forth in the RFQ documents and contained herein.
- 3.10.3 By signature hereon, Respondent affirms that he has not given, nor intends to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor or service to a public servant in connection with the submitted Qualifications.
- 3.10.4 By signature hereon, a corporate Respondent certifies that it is not currently delinquent in the payment of any Franchise Taxes due under Chapter 171, Texas Tax Code, or that the corporate Respondent is exempt from the payment of such taxes, or that the corporate Respondent is an out-of-state corporation that is not subject to the Texas Franchise Tax, whichever is applicable.
- 3.10.5 By signature hereon, the Respondent hereby certifies that neither the Respondent nor the firm, corporation, partnership or Owner represented by the Respondent, or anyone acting for such firm, corporation, or institution has violated the antitrust laws of this state, codified in Section 15.01, et. seq., Texas Business and Commerce Code, or the Federal antitrust laws, nor communicated directly or indirectly the Qualifications made to any competitor or any other person engaged in such line of business.
- 3.10.6 By signature hereon, Respondent represents and warrants that:
- 3.10.6.1.0 Respondent is a reputable company regularly engaged in providing products and/or services necessary to meet the terms, conditions and requirements of the RFQ;

- 3.10.6.2 Respondent has the necessary experience, knowledge, abilities, skills, and resources to satisfactorily perform the terms, conditions and requirements of the RFQ;
 - 3.10.6.3 Respondent is aware of, is fully informed about, and is in full compliance with all applicable federal, state and local laws, rules, regulations and ordinances;
 - 3.10.6.4 Respondent understands (i) the requirements and specifications set forth in this RFQ and (ii) the terms and conditions set forth in the Contract under which Respondent will be required to operate;
 - 3.10.6.5 Respondent, if selected by the Owner, will maintain insurance as required by the Contract;
 - 3.10.6.6 All statements, information and representations prepared and submitted in response to this RFQ are current, complete, true and accurate. Respondent acknowledges that the Owner will rely on such statements, information and representations in selecting the successful Respondent. If selected by the Owner as the successful Respondent, Respondent will notify the Owner immediately of any material change in any matters with regard to which Respondent has made a statement or representation or provided information.
- 3.10.7 By signature hereon, Respondent certifies that the individual signing this document and the documents made part of the RFQ is authorized to sign such documents on behalf of the company and to bind the company under any agreements or other contractual arrangements, which may result from the submission of Respondent's Qualifications.
- 3.10.8 (Not Used)
- 3.10.9 By signature hereon, Respondent certifies as follows:
- 3.10.9.1 "Under Section 231.006, Texas Family Code, the vendor or applicant certifies that the individual or business entity named in this contract, bid, or application is not ineligible to receive the specified grant, loan, or payment and acknowledges that this contract may be terminated and payment may be withheld if this certification is inaccurate."
 - 3.10.9.2 "Under Section 2155.004, *Texas Government Code*, the vendor or applicant certifies that the individual or business entity named in this bid or contract is not ineligible to receive the specified contract and acknowledges that this contract may be terminated and payment withheld if this certification is inaccurate."
 - 3.10.9.3 "Under Section 2254.004, *Texas Government Code*, the vendor or applicant certifies that each individual or business entity which is an engineer or architect proposed by Respondent as a member of its team was selected based on demonstrated competence and qualifications only."
- 3.10.10 By signature hereon, Respondent certifies that no relationship, whether by relative, business associate, capital funding agreement or by any other such kinship exist between Respondent and an employee of any University of Texas component, or Respondent has not been an employee of any University of Texas component within the immediate twelve (12) months prior to your RFQ response. All such disclosures will be subject to administrative review and approval prior to the Owner entering into any contract with Respondent.

- 3.10.11 By signature hereon, Respondent affirms that no compensation has been received for participation in the preparation of the specifications for this RFQ. (ref. Section 2155.004 Texas Government Code).
- 3.10.12 Respondent represents and warrants that all articles and services quoted in response to this RFQ meet or exceed the safety standards established and promulgated under the Federal Occupational Safety and Health Law (Public Law 91-596) and its regulations in effect or proposed as of the date of this solicitation.
- 3.10.13 By signature hereon, Respondent signifies his compliance with all federal laws and regulations pertaining to Equal Employment Opportunities and Affirmative Action.
- 3.10.14 By signature hereon, Respondent agrees to defend, indemnify, and hold harmless the State of Texas, all of its officers, agents and employees from and against all claims, actions, suits, demands, proceedings, costs, damages, and liabilities, arising out of, connected with, or resulting from any acts or omissions of Respondent or any agent, employee, subcontractor, or supplier of Respondent in the execution or performance of any agreements or other contractual arrangements which may result from the submission of Respondent's Qualifications.
- 3.10.15 By signature hereon, Respondent agrees that any payments that may become due under any agreements or other contractual arrangements, which may result from the submission of Respondent's Qualifications, will be applied towards any debt including, but not limited to, delinquent taxes and child support that is owed to the State of Texas.
- 3.10.16 By signature hereon, Respondent agrees that this project will utilize the Owner Controlled Insurance Program (OCIP) and the Owner provided Builders Risk program and will bind all contractors and subcontractors to participate in the program. The Respondent acknowledges that it has received and reviewed information required to be provided about the OCIP program at least ten (10) days before entering into this contract, and will provide this information to all contractors and subcontractors at least ten (10) days before entering into a contract with them.
- 3.10.17 By signature hereon, Respondent certifies that the only member(s) of the Board of Regents of The University of Texas System, or the Executive Officers of The University of Texas System or it's component institutions that has a financial interest, directly or indirectly, in the transaction that is the subject of the contract is identified below. Attach additional pages as necessary.

(Name)

(Firm Business Title)

(UT System Title)

3.10.18 By signature hereon, Respondent represents and warrants that it neither currently boycotts Israel nor will it boycott Israel at any time during the term of this agreement, Pursuant to Texas Government Code Chapter 2270.

3.10.19 By signature hereon, Respondent represents and warrants that it neither currently does business nor will do business at any time during this contract with companies that do business with Iran, Sudan or foreign terrorist organizations, Pursuant to Texas Government Code Chapter 2252.152.

3.10.20 Execution of Offer: RFQ No. **FM2023-006**

The Respondent must complete, sign and return this Execution of Offer as part of their submittal response. The Respondent's company official(s) who are authorized to commit to such a submittal must sign submittals. Failure to sign and return this form will subject the submittal to disqualification.

Respondent's Name: _____

Respondent's State of Texas Tax Account No.: _____
(This 11 digit number is mandatory)

If a Corporation:

Respondent's State of Incorporation: _____

Respondent's Charter No: _____

Identify each person who owns at least 25% of the Respondent's business entity by name:

(Name)

(Name)

(Name)

Submitted and Certified By:

(Respondent's Name)

(Title)

(Street Address)

(Telephone Number)

(City, State, Zip Code)

(Email address)

(Authorized Signature)

(Date)

SECTION 4 – FORMAT FOR STATEMENT OF QUALIFICATIONS

4.1 GENERAL INSTRUCTIONS:

- 4.1.1 Qualifications shall be prepared **SIMPLY AND ECONOMICALLY**, providing a straightforward, **CONCISE** description of the respondent's ability to meet the requirements of this RFQ. Emphasis shall be on the **QUALITY**, completeness, clarity of content, responsiveness to the requirements, and an understanding of Owner's needs.
- 4.1.2 Qualifications shall be a **MAXIMUM OF FIFTY (50) DOUBLE SIDED PRINTED PAGES**. The cover, table of contents, divider sheets, HUB Subcontracting Plan (Section 1.13), and Execution of Offer do not count as printed pages.
- 4.1.3 Respondents shall carefully read the information contained in this RFQ and submit a complete response to all requirements and questions as directed. Incomplete Qualifications will be considered non-responsive and subject to rejection.
- 4.1.4 Qualifications and any other information submitted by respondents in response to this RFQ shall become the property of the Owner.
- 4.1.5 Qualifications that are qualified with conditional clauses, alterations, items not called for in the RFQ documents, or irregularities of any kind are subject to rejection by the Owner, at its option.
- 4.1.6 The Owner makes no representations of any kind that an award will be made as a result of this RFQ, or subsequent RFP. The Owner reserves the right to accept or reject any or all Qualifications, waive any formalities or minor technical inconsistencies, or delete any item/requirements from this RFQ when deemed to be in Owner's best interest.
- 4.1.7 Qualifications shall consist of answers to questions identified in Section 3 of the RFQ. It is not necessary to repeat the question in the Qualifications; however, it is essential to reference the question number with the corresponding answer.
- 4.1.8 Failure to comply with all requirements contained in this Request for Qualifications may result in the rejection of the Qualifications.

4.2 PAGE SIZE, BINDING, DIVIDERS, AND TABS:

- 4.2.1 Qualifications shall be printed on letter-size (8-1/2" x 11") paper and assembled with spiral-type bindings or staples. **DO NOT USE METAL-RING HARD COVER BINDERS.**
- 4.2.2 Additional attachments shall **NOT** be included with the Qualifications. Only the responses provided by the respondent to the questions identified in Section 3 of this RFQ will be used by the Owner for evaluation.
- 4.2.3 Separate and identify each criteria response to Section 3 of this RFQ by use of a divider sheet with an integral tab for ready reference.

4.3. TABLE OF CONTENTS:

4.3.1 Submittals shall include a “Table of Contents” and give page numbers for each part the Qualifications.

4.4 PAGINATION:

4.4.1 Number all pages of the submittal sequentially using Arabic numerals (1, 2, 3, etc.); the Respondent is not required to number the pages of the HUB Subcontracting Plan.

SECTION 5 - ATTACHMENTS TO THE RFQ

- 5.1 Exhibit H: Policy on Utilization Historically Underutilized Businesses
- 5.2 Owner's Front End Documents
 - 5.2.1 Uniform General Conditions for University of Texas System Building Construction Contracts (UGC) (current edition).
 - 5.2.2 Owner's Special Conditions with Attachments
 - 5.2.2.1 Attachment "A" Prevailing Wage Rate Determination
 - 5.2.2.2 Attachment "B" Project Sign Layout
 - 5.2.2.3 Attachment "C" Weather Days
 - 5.2.3 Project Insurance Section 00 73 16
 - 5.2.4 Project Safety Requirements Section 01 35 23
 - 5.2.5 Project Planning and Scheduling Section 01 32 00
 - 5.2.6 Project Administration Requirements Section 01 31 00
 - 5.2.7 Project Quality Control Section 01 45 00
 - 5.2.8 Temporary Storm Water Pollution Controls Section 01 57 23
 - 5.2.9 General Commissioning Requirements Section 01 91 00
 - 5.2.10 Project Closeout Procedures Section 01 77 00
 - 5.2.11 Cast Bronze Dedicatory Plaque Section 10 14 16.11
- 5.3 Existing Architectural Plans
- 5.4 Owner's Design Guidelines
 - 5.4.1 [Table of Contents & Introduction](#)
 - 5.4.2 [Appendix A: Definitions of Building Areas](#)
 - 5.4.3 [Appendix B: Civil Engineering Criteria](#)
 - 5.4.4 [Appendix C: Codes and Standards](#)
 - 5.4.5 [Appendix D: Construction Phase Criteria](#)
 - 5.4.6 [Appendix E: Electrical Criteria](#)
 - 5.4.7 [Appendix F: Landscape Criteria](#)
 - 5.4.8 [Appendix G: Mechanical Criteria](#)
 - 5.4.9 [Appendix H: Furniture, Furnishings and Equipment](#)
 - 5.4.10 [Appendix I: Interior Finishes Criteria](#)
 - 5.4.11 [Appendix J: Guidelines for Architects/Engineers - Preparation of Project Manuals](#)
 - 5.4.12 [Appendix K: Structural Criteria](#)
 - 5.4.13 [Appendix L: Submittal Requirements for Design Documents](#)
 - 5.4.14 [Appendix M: Texas Accessibility Standards](#)
 - 5.8.15 [Appendix N: U. T. System Capital Improvement Process](#)