



Texas Facilities Commission
P.O. Box 13047
Austin, Texas 78711-3047

REQUEST FOR PROPOSALS
CHILLER MAINTENANCE AND REPAIR
SERVICES

RFP #303-5-01379

Dated: April 1, 2016

Proposal Due Date / Opening: May 11, 2016

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REQUEST FOR PROPOSAL

Chiller Maintenance and Repair Services

- 1) **SCOPE:** Pursuant to Texas Government Code Section 2165.001, Custodianship of State Property, and Section 2156.121, Use of Competitive Sealed Proposals, the Texas Facilities Commission is requesting responses to this Request for Proposals for the provision of chiller preventative maintenance and repair services in various facilities owned by the Texas Facilities Commission located in Austin, Texas.
- 2) **CONTRACT TERM:** This service shall be for a period beginning on the date that Contract, as defined below, is executed by both parties, and shall expire on August 31, 2017. The Contract may be renewed for one (1) additional two (2) year period, provided that renewal is executed prior to expiration of the current contract term. Any renewals shall be in writing and at the same terms and conditions, plus any approved changes.

This contract is contingent upon the continued availability of funding. If funds become unavailable through lack of appropriations, legislative budget cuts, amendment of the Appropriations Act, state agency consolidations, or any other disruption of current appropriations, provisions of the Termination Article in the Services Contract shall apply.

- 3) **DEFINITIONS:** The following definitions apply to this Request for Proposals:

Addendum - A modification of the specifications issued by TFC.

Best and Final Offer (BAFO) - A formal request made to acceptable or potentially acceptable Respondents for revision to the originally submitted proposal.

Contract - The Services Contract attached to this RFP as Attachment A.

Contract Administrator - The individual designated by TFC to represent TFC during the performance of the Contract.

Contractor - The individual, partnership or corporation whose proposal is accepted and who enters into a Contract with TFC.

Electronic State Business Daily (ESBD) – the designated website that state agencies, universities, and municipalities use to post formal solicitations (over \$25K), addenda to posted solicitations, and awards. The link to the ESBD is <http://esbd.cpa.state.tx.us/>

Good Faith Effort – Effort required by vendors when completing the HUB Subcontracting Plan, which demonstrates the respondent has completed one of the following methods for the planned subcontracting needs: A) Self-Performing Contract (performing all work with own materials and labor), B) Using strictly HUBs for all subcontracting needs, C) Meeting stated agency goal for HUB subcontracted needs for this type of solicitation, or D) Performing “Traditional Good Faith Effort” of notifying two trade organizations and soliciting bids from three HUBs for each subcontracting opportunity, and allowing seven business days for response.

HUB Subcontracting Plan (HSP) – The Historically Underutilized Business (HUB) Subcontracting Plan (HSP) required by Chapter 2161 of the Texas Government Code (TGC) and by Title 34, Chapter 20, Subchapter B, §20.10- §20.28 of the Texas Administrative Code (TAC).

Historically Underutilized Business (HUB) – A business who certified with the Comptroller of Public Accounts by meeting the following requirements: 51% owned by an Asian Pacific American, Black American, Hispanic American, Native American, American woman, and/or United States Veteran with a minimum 20% Disability rating; is an entity with its principal place of business in Texas; and has an owner residing in Texas with a proportionate interest that actively participates in the control, operations and management of the entity’s affairs.

Respondent - An individual, partnership or corporation that responds to this RFP.

RFP – The Request for Proposal

TFC - The Texas Facilities Commission

- 4) **SCHEDULE OF EVENTS:** TFC reserves the right to change the dates in the Schedule of Events set forth below upon written notification to prospective Respondents through a posting of an Addendum on the Electronic State Business Daily.

a) The solicitation process for this RFP will proceed according to the following schedule:

EVENT	DATE
Issue RFP	April 1, 2016
Mandatory Pre-Proposal Conferences (Respondents are required to attend only one of the scheduled meetings)	Wednesday, April 13, 2016, 2:00 PM OR Thursday, April 14, 2016, 9:00 AM
Deadline for Submission of Questions	April 20, 2016, 3:00 PM
Deadline for Submission of Proposals/RFP Opening	May 11, 2016, 3:00 PM
Expected Award of Contract	June 1, 2016

b) **MANDATORY PRE-PROPOSAL CONFERENCES:**

- i) The Pre-Proposal Conferences are scheduled for:

Wednesday, April 13, 2016 at 2:00 PM

And

Thursday, April 14, 2016 at 9:00 AM

The location of the Pre-Proposal conferences is:

Texas Facilities Commission
Central Services Building, 4th Floor
1711 San Jacinto Blvd.
Austin, TX 78701

- ii) Attendance to at least one (1) of the two (2) scheduled pre-proposal conferences is mandatory. Only those Respondents whose names and represented firm are on the pre-proposal conference sign-in sheet shall be allowed to submit a response. Please do not be late.
- iii) Parking is available in a small Visitor Parking lot for a 2 hour limit or free parking is available on the top level of State Garage B, 1511 San Jacinto Blvd., Austin, TX.

http://www.tspb.texas.gov/plan/maps/doc/capitol_complex_maps/capitol_complex_employee_parking.pdf

5) **PROPOSAL REQUIREMENTS:**

a) **SUBMISSION REQUIREMENTS:**

- i) Respondents shall submit one (1) original:
- (1) Attachment B – HUB Subcontracting Plan;
 - (2) Attachment C – Execution of Proposal;
 - (3) Attachment D – Compensation and Fees;
 - (4) Bid Bond;
 - (5) Litigation History; and
 - (6) References
- ii) Along with one (1) original and four (4) copies of the Respondent's proposal which shall include but not be limited to:

- (1) Company Information
 - (2) Relevant Experience and Qualifications
 - (3) Attachment F – Contractor’s Qualifications Form
 - (4) Proposed Methodology
 - (5) Quality Control and Safety Program
- iii) Additionally, respondent shall provide a formatted CD containing a complete copy of the vendor’s response to this RFP. The format shall be Adobe Acrobat version 9.0 or higher.
- iv) Proposal pages should be numbered and contain an organized, paginated table of contents corresponding to the sections listed below in Section 5(d).
- b) **PROPOSAL COSTS:** Respondents to this RFP are responsible for all costs of proposal preparation and delivery.
- c) **PUBLIC INFORMATION:** TFC will not consider any proposal that bears a copyright. As a state agency, TFC will strictly adhere to the requirements of Chapter 552 of the Texas Government Code (the "Texas Public Information Act") regarding the disclosure of public information. As a result, by participating in this solicitation process Respondent acknowledges that all information, documentation, and other materials submitted in response to this solicitation may be subject to public disclosure under the Texas Public Information Act. TFC does not have authority to agree that any information submitted will not be subject to disclosure. Disclosure is governed by the Texas Public Information Act. Respondents are advised to consult with their legal counsel concerning disclosure issues resulting from this process and to take precautions to safeguard trade secrets and proprietary or otherwise confidential information. TFC assumes no obligation or responsibility relating to the disclosure or nondisclosure of information submitted by Respondents. If it is necessary for Respondent to include trade secrets or proprietary or otherwise confidential information in its submittal, Respondent must clearly mark in bold red letters the term “**CONFIDENTIAL**” using at least **14 point font**, on that specific part or page of the submittal which Respondent believes to be confidential. All submittals and parts of submittals that are not marked confidential will be automatically considered to be public information. Should trade secrets or proprietary or otherwise confidential information be included in the submitted CD, as referenced in Section 5(a), Respondent should mark the CD with the word “**CONFIDENTIAL**.” If TFC receives a public information request seeking information marked by Respondent as confidential, Respondent will receive notice of the request as required by the Texas Public Information Act. If TFC receives a public information request for submittals and parts of submittals that are not marked confidential, the information will be disclosed to the public as required by the Texas Public Information Act.
- d) **CONTENTS:** Listed below is a summary of all information to be included in a proposal submitted in response to this RFP. Proposals submitted without all of the required information may be rejected. TFC reserves the right, in its sole judgment and discretion, to waive minor technicalities and errors in the best interest of the State of Texas.
- i) **COMPANY INFORMATION:** <0 pts> Including, but not limited to the following:
 - (1) company description;
 - (2) ownership information;
 - (3) physical and mailing address;
 - (4) other company locations/offices;
 - (5) primary contact;
 - (6) office and mobile telephone number and email of company’s primary contact;
 - ii) **Relevant Experience and Qualifications:** <30 pts>
 - (1) Complete and submit Attachment F – Contractor’s Qualifications Form.

- (a) Respondent should also provide a free-form narrative that describes, in detail, any additional qualifications not stated on Attachment F – Contractor’s Qualifications Form that is relevant to the scope of this solicitation.
 - (2) Demonstration that the Respondent has successfully been in business or the principals shall have had ownership/executive management in a previous company with comparable type experience, for the services solicited in this RFP;
 - (3) Demonstration of a Respondent’s relevant experience for the type of work solicited in the RFP.
 - (4) Names of top management and key employees and each person’s duties, including the background and experience of these employees;
 - (5) An organizational chart which shows roles and responsibilities of key individuals assigned to provide services under the Contract.
 - (6) **Specific relevant experience:**
 - (a) Respondent shall demonstrate a minimum of ten (10) years cumulative experience in chiller maintenance and repair services
 - (b) Proposed service technicians shall have a minimum of five (5) years’ individual experience with the types and models of chillers listed in the Attachment E – Building and Equipment List.
 - (7) **The following minimum requirements are required of Respondents:**
 - (a) Out of state Respondent’s doing business in the State of Texas shall have a Certificate of Authority to do business in Texas, a copy of which shall be submitted with the proposal.
 - (b) Provide copies of proposed service technician’s EPA Refrigeration Universal Certification.
 - (c) Provide documentation of factory training on Trane, McQuay/Daikin, and/or York Chillers.
- iii) **PROPOSED METHODOLOGY: <15 pts>** A detailed plan outlining the methodology intended to be employed by the Respondent that demonstrates the processes of implementation regarding the requirements of the Contract. This shall include, but not be limited to:
- (1) Processes and techniques used to understand the services to be provided under the Contract;
 - (2) Describe staffing in your local office/shop to successfully execute the requirements of this contract.
 - (3) Identify your firm's minimum dedicated response staff.
 - (4) Describe how your firm will respond to requests outside of normal working hours (24/7).
 - (5) Describe how your firm will respond to requests in emergency situations.
 - (6) Company workload in proportion to the services outlined in the Contract; and
 - (7) Coordination of work with subcontractors.
- iv) **QUALITY ASSURANCE/CONTROL & SAFETY PROGRAM: <5 pts>**
- (1) **Quality Assurance / Quality Control:** Respondent shall provide the name and job title of the person in the organization who oversees the quality assurance program. Respondent shall describe its quality assurance program, quality requirements and means of measurement. TFC reserves the right to require a copy of the Quality Control Manual and Quality Assurance Processes, which, if contracted, will become a contract document. Provide process flow charts on how quality is maintained and achieved. The respondent shall describe the firm’s policy regarding establishing quality control processes similar to ISO 9000 and other in-place controls for adherence to budget, quality, safety and schedule.

- (2) **Safety Program:** Respondent shall provide its workers' compensation experience modification rate (EMR) for the last five (5) years. This shall be included in the proposal on the insurance broker's letterhead. Provide a description of your firm's safety program and indicate the name and job title of the person in your organization who manages the program. TFC reserves the right to require a copy of your safety manual, which, if contracted, will become a contract document.
- v) **ATTACHMENT D - COMPENSATION AND FEES:** <50 pts> Include pricing on the Attachment D – Compensation and Fees. **Respondent may not add qualifications, conditions, exceptions, variations or additional items to the proposal, or otherwise modify the pricing structure of the RFP in any manner.** Any such modifications will not be considered for evaluation, and may be cause for rejection of the proposal, at the full and sole discretion of TFC.
- vi) **ATTACHMENT C - EXECUTION OF PROPOSAL:** The Attachment C – Execution of Proposal shall be completed as directed, signed by the individual or an authorized agent of the business entity submitting the proposal, and returned with the proposal. Failure to sign where indicated will result in disqualification of proposal.
- vii) **ATTACHMENT H - REFERENCES:** <P/F> (on a separate sheet) Include a minimum of three (3) references from clients for whom similar services were performed or products were provided. Include project description, contact names, position, and company name, telephone number, and email address for each reference listed.
- viii) **LITIGATION:** <P/F>
- (1) Provide details of all litigation history, including but not limited to administrative claims and proceedings and arbitration within the past five (5) years.
- (2) Respondents involved in litigation, depending upon the circumstances of the litigation, may be disqualified at the sole discretion of TFC.
- ix) **BID BOND:** Proposal shall be accompanied by a bid security in the form of a bid bond, certified and/or cashier's check (on a solvent bank in the State of Texas) drawn to the order of the Texas Facilities Commission, in the sum of not less than five percent (5%) of the total amount of the proposal. No other form of security will be accepted. Total shall be based on sum of all Annual Chiller Maintenance fees for all chillers.
- x) **PRINCIPAL SUBCONTRACTORS:** Subcontractors with whom the Respondent intends to utilize in performing 15% or more of the Contract. Principal Subcontractors should be listed separately on the Attachment C – Execution of Proposal Form and the Attachment B – HUB Subcontracting Plan.
- xi) **ATTACHMENT B - HUB SUBCONTRACTING PLAN:** In accordance with the Texas Government Code, Sections §2161.181-182 and Title 34, Chapter 20, Subchapter B, §20.14(d)(1)(D)(iii) of the Texas Administrative Code (TAC), the Texas Facilities Commission (TFC) shall make a good faith effort to utilize Historically Underutilized Businesses (HUBs) in contracts for services, including professional and consulting services; and commodities contracts. The purpose of the HUB Program is to promote full and equal business opportunities for all businesses in State contracting in accordance with the following HUB utilization goals as specified in 34 TAC § 20.13:
- 11.2% for heavy construction other than building contracts,
 - 21.1% for all building construction,
 - 32.7% for all special trade construction contracts,
 - 23.6% for professional services contracts,
 - **24.6% for all other services contracts,** and
 - 21.0% for commodities contracts.
- (1) The Attachment B – HUB Subcontracting Plan shall be completed, signed and returned with the proposal. As mandated by 34 Texas Administrative Code, Section 20.14, Respondents must submit an Attachment B - HUB Subcontracting Plan that identifies all

subcontractors and complies with good faith effort requirements outlined in the Attachment B - HUB Subcontracting Plan and in accordance with the Comptroller of Public Accounts (CPA) HUB rules in Section 20.14(d)(1)(D)(iii).

- (2) Pursuant to Texas Government Code, Section 2161.252(b), TFC shall reject any response that does not include an Attachment B - HUB Subcontracting Plan. An incomplete Attachment B - HUB Subcontracting Plan is considered a material failure to comply with the solicitation requirements.
- (3) The Attachment B - HUB Subcontracting Plan shall become an Exhibit to the Contract between the awarded Respondent and TFC. Upon execution of the Contract, Contractor can only change the HUB Subcontracting Plan if:
 - (a) Contractor complies with 34 Texas Administrative Code, Section 20.14;
 - (b) Contractor provides its proposed changes to TFC for review;
 - (c) TFC approves Contractor's proposed changes to its HUB Subcontracting Plan; and
 - (d) TFC and Contractor amend their contract by submitting a revised HUB Subcontracting Plan containing the changes approved by TFC.
- (4) If TFC determines that the Contractor failed to implement its HUB Subcontracting Plan in good faith, TFC, in addition to any other remedies, may report nonperformance to the CPA in accordance with 34 Texas Administrative Code, Section 20.14(g)(5).
- (5) HUB subcontracting opportunities may be available in the following commodity class/item codes:

Class/Item	Description
031-00	Air Conditioning, Heating, and Ventilating Equipment, Parts and Accessories
740-55	Refrigerant Gases
981-12	Air Conditioning Equipment and Accessories Rental or Lease

The list above is not, nor is it intended to be, a comprehensive list that identifies all subcontracting opportunities.

- (6) If further assistance is needed in preparing the HUB Subcontracting Plan, potential respondents may contact the agency HUB Coordinator Yolanda Strey at 512-475-0453, or by email at HUB@tfc.state.tx.us.

6) **INQUIRIES:**

- a) All non-HUB or non-insurance related inquiries shall be submitted in writing to Rico Gamino by email to rico.gamino@tfc.state.tx.us by the date and time specified in the Schedule of Events above.
- b) All inquiries submitted by email shall be in an editable format, i.e. Microsoft Word, or standard email as opposed to an un-editable format such as Adobe Acrobat .pdf files.
- c) All inquiries will result in written responses with copies posted to the Electronic State Business Daily (ESBD), available at <http://esbd.cpa.state.tx.us/>. If a Respondent does not have Internet access, a copy of all written responses may be obtained through the point of contact listed above.
- d) It is the responsibility of the interested parties to periodically check the ESBD for updates to the solicitation prior to submitting a proposal. Respondent's failure to periodically check the ESBD will in no way release the selected vendor from "addenda or additional information" resulting in additional costs to meet the requirements of the RFP.
- e) Except as otherwise provided in this Section, upon issuance of this RFP, other employees and representatives of TFC will not answer questions or otherwise discuss the contents of the RFP with any potential Respondent or its representatives. Failure to observe this restriction may result in disqualification of any subsequent response. This restriction does not preclude discussions unrelated to this RFP.

7) **PROPOSAL SUBMISSION:**

- a) All proposals shall be received and time stamped at TFC prior to 3:00 PM, Central Time, on the date specified in the Schedule of Events above. TFC reserves the right to accept late proposals; however no proposals shall be accepted once the proposal opening process has begun.
- b) Proposals should be placed in a separate envelope or package and correctly identified with the RFP number and submittal deadline/RFP opening date and time. It is Respondent's responsibility to appropriately mark and deliver the proposal to TFC by the specified date and time.
- c) Telephone, facsimile, and email proposals will not be accepted.
- d) Receipt of all addenda to this RFP should be acknowledged by returning a signed copy of each addendum with the submitted proposal.

8) **DELIVERY OF PROPOSALS:** Proposals shall be submitted to TFC by one of the following methods:

U.S. Postal Service	Overnight/Express Mail	Hand Deliver
TFC – Bid Services ATTN: Rico Gamino RFP #303-5-01379 Central Services Building P.O. Box 13047 Austin, TX 78711-3047	TFC – Bid Services ATTN: Rico Gamino RFP #303-5-01379 Central Services Building, Rm. 176 1711 San Jacinto Blvd. Austin, TX 78701 Hours – 8:00 AM to 5:00 PM	TFC – Bid Services ATTN: Rico Gamino RFP #303-5-01379 Central Services Building 4 th Floor Receptionist 1711 San Jacinto Blvd. Austin, TX 78701 Hours – 8:00 AM to 5:00 PM

9) **PROPOSAL OPENING:**

- a) Proposals will be opened at the Central Services Building, 1711 San Jacinto Blvd., Austin, Texas 78701.
- b) All submitted Proposals become the property of TFC after the RFP submittal deadline/opening date.
- c) Proposals submitted shall constitute an offer for a period of ninety (90) days or until award is made by TFC, whichever occurs earlier.

10) **PROPOSAL EVALUATION AND AWARD:**

- a) TFC shall award the Contract(s) to the Respondent(s) whose proposal is considered to provide the best value to the State of Texas, as defined by Texas Government Code, Section 2155.074.
- b) When considering best value and award, TFC reserves the right to set a minimum requirement regarding the weighted criteria listed in Subsection (e) below.
- c) TFC also reserves the right to solicit any service that would normally be performed using this Contract if it deems that by doing so would be in the best interest of the State of Texas.
- d) An evaluation committee will be established to evaluate the submitted proposals. The committee will include employees of TFC and may include other persons invited by TFC to participate. By submitting a proposal in response to this RFP, the Respondent accepts the solicitation and evaluation process and acknowledges and accepts that scoring of the proposals may involve some subjective judgments by the Evaluation Committee. The Evaluation Committee will evaluate and score each proposal based upon the following criteria:

<u>Criteria</u>	<u>Weight</u>
Company Information	0%
Relevant Experience & Qualifications	30%
Methodology	15%
Quality Control/Quality Assurance/Safety	5%
Compensation and Fees	50%

References	P/F
<u>Litigation</u>	P/E
	100%

- e) The Evaluation Committee will determine if BAFOs are necessary. Award of the Contract may be made without BAFOs. A request for a BAFO is at the sole discretion of TFC and will be extended in writing.
- f) In evaluating proposals to determine the best value for the State of Texas, TFC may consider information related to past contract performance of a Respondent including, but not limited to, CPA's Vendor Performance Tracking System (available at http://www.window.state.tx.us/procurement/prog/vendor_performance/). Prior work performance with TFC, and other State agencies or governmental entities which are familiar with a Respondent's performance, depending on problems encountered, may be grounds for disqualification. In addition, Respondents involved in litigation with TFC or another State agency may be disqualified.
- g) Based on ranking determined by the scores, TFC may conduct interviews and/or oral presentations with those firms determined to be the most qualified. Such interviews are intended to:
 - i) confirm the information contained in the proposal submittal;
 - ii) evaluate Respondent's methodology and work plan for the Contract; and
 - iii) evaluate the structure of Contract team including qualifications of individual team members and other subcontractors. Scoring of the interview may replace part or all of the scoring of the proposal.
- h) Based on these and other factors which may apply, TFC in accordance with Texas Government Code, Section 2156.121, will enter into the Contract with the Respondent(s) that is determined to be most appropriate for the services to be provided, but if an agreement cannot be reached, may proceed with the next ranked Respondent, and so on as provided by statute.
- i) TFC reserves the right to award or not award the Contract if no responses are deemed acceptable and may re-solicit as determined necessary in the best interest of the State of Texas.
- j) Protests filed in accordance with this solicitation shall be governed by Texas Administrative Code Title 1, Administration, Part 5 Texas Facilities Commission, Chapter 111 Administration, Subchapter 1 Complaints and Dispute Resolution, §111.32 Protests/Dispute Resolution/Hearings.
- k) Order Precedence: In the event of conflicts or inconsistencies between this RFP and its attachments, such conflicts or inconsistencies shall be resolved by reference to the documents in the following order of priority: Attachment A - Services Contract, Request for Proposals (includes all remaining Attachments), and Respondent's response to Request for Proposals.

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**ATTACHMENT A
SERVICES CONTRACT**

(TO BE EXECUTED BY TFC AND SELECTED RESPONDENT UPON AWARD)

Posted as Package '2' on the ESBD

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**ATTACHMENT B
HUB SUBCONTRACTING PLAN**

Posted as Package '3' on the ESBD

For electronic completion (RECOMMENDED) click here:
<http://www.window.state.tx.us/procurement/prog/hub/hub-forms/>

(TO BE ATTACHED AS "EXHIBIT E" TO SERVICES CONTRACT)

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ATTACHMENT C
EXECUTION OF PROPOSAL FORM

NOTE: THIS ATTACHMENT MUST BE SIGNED AND RETURNED WITH THE PROPOSAL. PROPOSALS WHICH DO NOT INCLUDE THIS ATTACHMENT SHALL BE DISQUALIFIED. THE PROPOSAL SHALL BE DISQUALIFIED IF FALSE STATEMENTS ARE CONTAINED IN THIS ATTACHMENT.

Respondent's Name: _____

Address: _____

City, State, Zip: _____

Having carefully examined the RFP, the Contract, and all other Attachments, as well as the premises and conditions affecting the work, Respondent hereby proposes to furnish all labor, materials, and equipment necessary to complete the work in the amounts proposed in Attachment D – Compensation and Fees.

ADDENDA.

Respondent acknowledges receipt of the following Addenda:

Number	Dated:	Date Received:

PRINCIPAL SUBCONTRACTORS:

List below all subcontractors who will perform at least 15% of the services to be provided under the Contract. An Attachment F – Respondent's Qualifications Form shall be attached to this proposal form for each firm listed. Note any changes if an alternate is accepted.

Trade Name: _____ City: _____

RESPONDENT AFFIRMATIONS:

Provided the proposal is accepted, the Respondent, signature herein, agrees to execute the Attachment A – Services Contract and obtain and furnish the required insurance certificates in accordance with the terms and conditions of the Contract. Should the Respondent fail to provide the required insurance certificates within fifteen (15) days after receipt of the Award Notification Letter, TFC may retain as forfeit

the enclosed Certified Check, Cashier's Check or Bid Bond in the sum of not less than five percent (5%) of the total price of the proposal.

All statements and information prepared and submitted in the response to this RFP are current, complete and accurate.

Respondent has not given, offered to give, nor intends to give at anytime hereafter, any economic opportunity, future employment, gift, loan gratuity, special discount, trip, favor, or service to a public servant in connection with the submitted response. Failure to sign this Execution of Proposal or signing it with a false statement shall void the submitted offer or any resulting contracts.

Neither the Respondent or the firm, corporation, partnership, or institution 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 offer made to any competitor or any other person engaged in such line of business. The Respondent's signature herein assigns to TFC any and all claims for overcharges associated with the Contract which arise under the Antitrust Laws of the United States, 15 USCA, Section 1, Et. Seq. (1973).

By signing this submittal, respondent certifies that if a Texas address is shown as the address of the respondent, respondent qualifies as a Texas Resident Bidder as defined in Texas Administrative Code, Title 34, Part 1, Chapter 20.

Pursuant to Texas Government code, Title 10, Subtitle D, Section 2155.004(a), the bidder has not received compensation for participation in the preparation of specifications for this solicitation.

Respondent is in compliance with Texas Government Code, Section 669.003, relating to contracting with an executive of a state agency. If Section 669.003 applies, Respondent shall provide the following information as an attachment to this response: name of former executive, name of state agency, date of separation from state agency, position with respondent, and date of employment with respondent.

HB1295 of the 84th Legislature mandates that you must comply with the following:

Texas Government Code Section 2252.908, and new rules promulgated by the Texas Ethics Commission ("TEC") pursuant to Section 2252.908, require a disclosure of interested parties by contractors that enter into certain types of government contracts. To comply with the law and new rules, contractors must file a Disclosure of Interested Parties Form 1295 ("Form 1295") with the TEC and the Texas Facilities Commission ("TFC").

As of January 1, 2016, the TEC has made available on its website the new filing application that must be used to file Form 1295. Upon the selection of a contractor, contractor will be required to immediately complete the Form 1295 and return it to the TFC Legal Services Division: Martin.blair@tfc.state.tx.us to review, and then TFC will send final notification to the TEC.

TFC may, in its sole discretion, wait to execute the contract until the form is filed with TEC.

Go to: <https://www.ethics.state.tx.us/index.html>. Under the heading HOT TOPICS, click on "New Form 1295 Filing Application". Information on using the new filing application is also posted on the TEC's website as of January 1, 2016.

Contractors must use the application to enter the required information on Form 1295 and print a copy of the form and a separate certification of filing that will contain a unique certification number. An authorized agent of a contractor must sign the printed copy of the form and have the form notarized. The completed Form 1295 and certification of filing must be filed with TFC no later than thirty (30) days after the effective date of the contract.

Upon receipt of the signed, notarized form, TFC will notify the TEC of the receipt of the filed Form 1295 and certification of filing. The TEC is required by law to post the completed Form 1295 to its website within seven business days after receiving notice from TFC.

Respondent's signature herein certifies that Respondent is not currently delinquent in the payment of any debt owed to the State of Texas including, but not limited to, franchise taxes and child support and that any payments due the firm under this contract will be applied to that debt.

System for Award Management (SAM): Prior to awarding state funds for goods and/or services rendered, the State of Texas will conduct a required search of your firm using the Federal System for Award Management (SAM). This is a Federal government maintained database that record and track organizations either known to or suspected of contributing to terrorist organizations. No state funds may be paid to an individual or firm whose name appears on this list.

Texas Family Code Compliance Requirement:

Under TGC, Title 5, Subtitle D, Section 231.006, Family Code (relating to child support), the individual or business entity named in this solicitation is eligible to receive the specified payment and acknowledges that this contract may be terminated and payment withheld if this certification is inaccurate. The response includes the names of each person with a minimum of twenty-five percent (25%) ownership of the business entity submitting the response. Respondents that have pre-registered this information on the CPA Centralized Master Bidders List have satisfied this requirement. If not pre-registered, respondent shall provide the name(s) below. Upon award, respondent shall provide TFC Procurement the Social Security number(s) of the individual(s) listed below.

Firm Owner(s), Partners, Sole Proprietors, Share Holder(s)
of twenty-five percent (25%) interest:

Name: _____ Name: _____
Name: _____ Name: _____
Name: _____ Name: _____
(Respondent may use bottom of page if necessary.)

Respondent represents and warrants that the individual signing this Execution of Proposal is authorized to sign this document on behalf of Respondent and to bind Respondent under any contract resulting from this proposal.

RESPECTFULLY SUBMITTED:

Authorized Signature: _____

Printed Name and Title: _____

Telephone: _____

Respondent's Corporate Charter No.: _____

If a corporation, attach a corporation resolution or other official corporate documentation, which states that the person signing this proposal is an authorized person to sign for and legally bind the corporation.

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**ATTACHMENT D
COMPENSATION AND FEES**

(TO BE ATTACHED AS “EXHIBIT B” TO SERVICES CONTRACT)

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Respondent Name: _____

COMPENSATION AND FEES

Building BHB	Manufacturer	Model #	Annual Chiller Maintenance	10-Year Chiller Maintenance	Chiller Oil Change
Chiller #1	Daiken Applied	WME0500S	\$	\$	\$
Chiller #2	Daiken Applied	WMC150DC	\$	\$	\$
Chiller #3	Daiken Applied	WME0500S	\$	\$	\$
CPP					
Chiller #1	Trane	CVH41470	\$	\$	\$
Chiller #2	Trane	CVHF1470	\$	\$	\$
Chiller #3	Trane	CVHF 1470	\$	\$	\$
Chiller #4	Trane	CVHF1280	\$	\$	\$
CSB					
Chiller #1	Trane	RTHC1B2FOHOB2L3B2LFVQU00	\$	\$	\$
Chiller #2	York	YS CA CA S2 CH ES	\$	\$	\$
JER					
Chiller #2 Back-up Only	Carrier	30-11k-060-630	\$	\$	\$
JHW					
Chiller #1	York	YKJQJSP8-CSGS	\$	\$	\$
Chiller #2	York	YKJQJSP8-CSGS	\$	\$	\$
Chiller #3	York	YKJQJSP8-CSGS	\$	\$	\$
REJ					
Chiller #1	Trane	CVHFO55	\$	\$	\$
Chiller #2	Trane	CVHFO55	\$	\$	\$
Chiller #3	Trane	CVHF049	\$	\$	\$
Chiller #4	Trane	RTWAO704X001C3DOW	\$	\$	\$

Building SFA	Manufacturer	Model #	Annual Chiller Maintenance	10-Year Chiller Maintenance	Chiller Oil Change
Chiller #1	Trane	CVHF1470	\$	\$	\$
Chiller #2	Trane	CVHF1470	\$	\$	\$
Chiller #3	Trane	CVHF1470	\$	\$	\$
THO					
Chiller #1	Trane	RTWA1004XE01D3DOWFT	\$	\$	\$
Chiller #2	Trane	RTWA1004XE01D3DOWFT	\$	\$	\$
WPC					
Chiller #1	Trane	CVHE-080F	\$	\$	\$
Chiller #2	Trane	CVHE-080F	\$	\$	\$
Chiller #3	York	YTD1E3C3CMFS	\$	\$	\$
WPH T1					
Chiller #1	Dunham-Bush	1212BHF	\$	\$	\$
Chiller #2	Dunham-Bush	1212BHF	\$	\$	\$
WPH T2					
Chiller #1	Dunham-Bush	1212BHF	\$	\$	\$
WPH T3					
Chiller #1	Dunham-Bush	1210BHF	\$	\$	\$
Chiller #2	Dunham-Bush	1210BHF	\$	\$	\$
TSD PLANT					
Chiller #1	Trane	CVHF091FAF	\$	\$	\$
Chiller #2	Trane	CVHF091FDF	\$	\$	\$
Chiller #3	Trane	RFCXTHA255	\$	\$	\$

Building	Manufacturer	Model #	Annual Chiller Maintenance	10-Year Chiller Maintenance	Chiller Oil Change
TDH DHNP					
Chiller #1	Trane 20	CVH4910	\$	\$	\$
Chiller #2	Trane 21	CVH4910	\$	\$	\$
TCEQ A					
Chiller #1	Trane	R7HA300FCWOLDUI2LFNNVOGU	\$	\$	\$
RDM					
Chiller #1	Daikin Applied	WMC250DC	\$	\$	\$
Chiller #2	Daikin Applied	WMC250DC	\$	\$	\$

TEMPORARY CHILLER RENTAL – Rental Fees shall include mobilization, connection/disconnection fees, and up to 100 ft. of any required connections or piping.

TEMPORARY CHILLER SIZE	WEEKLY RATE	MONTHLY RATE
Centrifugal Chiller Rental		
000 – 100 Ton	\$	\$
101 – 250 Ton	\$	\$
251 – 500 Ton	\$	\$
501 – 750 Ton	\$	\$
751 – 1000 Ton	\$	\$
1001 – 1250 Ton	\$	\$
1251 – 1500 Ton	\$	\$
Centrifugal Chiller and Cooling Tower		
000 – 100 Ton	\$	\$
101 – 250 Ton	\$	\$
251 – 500 Ton	\$	\$
501 – 750 Ton	\$	\$
751 – 1000 Ton	\$	\$
1001 – 1250 Ton	\$	\$
1251 – 1500 Ton	\$	\$
Air Cooled Chillers		
000 – 100 Ton	\$	\$
101 – 250 Ton	\$	\$
251 – 500 Ton	\$	\$
501 – 750 Ton	\$	\$
751 – 1000 Ton	\$	\$

1001 – 1250 Ton	\$	\$
1251 – 1500 Ton	\$	\$
ADDITIONAL CHARGES		
Additional Hose/Piping – 50 Ft.	\$	\$

ADDITIONAL REPAIR AND MAINTENANCE SERVICES

The following prices are for services that are not included in the normal preventative maintenance of chillers above, but would be incurred as a result of unusual circumstances requiring additional parts, components, materials, and labor.

Labor:

- Straight time* hourly rate per qualified service technician: \$ _____ / Hour
- Straight time* hourly rate per service technician helper: \$ _____ / Hour
- Overtime** hourly rate per qualified service technician: \$ _____ / Hour
- Overtime** hourly rate per service technician helper: \$ _____ / Hour

Materials:

- Material Markup: Contractor shall invoice at MSRP/List*** minus _____ %
- Materials purchased at local retail outlets by Contractor field staff. Contractor shall invoice at cost****(sales receipt/invoiced price).

Subcontracted Services Mark-up:

Vendor shall invoice at cost**** plus _____ % mark-up

Payment and Performance Bonds (As Required):

Contractor shall invoice at cost****.

*Normal hours are defined as 7:30 AM – 6:00 PM Monday through Friday.
 **Overtime is defined as any hours that fall outside of Normal Hours.
 ***MSRP/List – TFC reserves the right to request from Contractor any published or printed catalog that reflects MSRP/List price for verification purposes.
 ****Cost – Cost is defined as the actual invoiced amount for goods/services procured by Contractor for services utilized under this Contract. Invoices for materials and/or subcontractor services may be requested by TFC staff for verification purposes.

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**ATTACHMENT E
BUILDING AND EQUIPMENT LIST**

(TO BE ATTACHED AS “EXHIBIT A” TO SERVICES CONTRACT)

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TFC BUILDING AND EQUIPMENT LISTING

Building	Asset Tag	Install Date	Manufacturer	Model #	Serial #	Tonnage	Refrigerant
Brown-Heatly (BHB) 4900 N. Lamar Blvd. Austin, TX 78751	Chiller #1	2016	Daiken Applied	WME0500S	STNU151000218	450	134A
	Chiller #2	2016	Daiken Applied	WMC150DCN-EROB	STNU151100045	150	134A
	Chiller #3	2016	Daiken Applied	WME0500S	STNU151000234	450	134A
Central Power Plant (CPP) 201 E. 14th St. Austin, TX 78701	Chiller #1	2001	Trane	CVH41470	L01K11227	1470	123
	Chiller #2	2010	Trane	CVHF1470	LI0E02655	1470	123
	Chiller #3	2012	Trane	CVHF NTON 1470	L13B00584	1470	123
	Chiller #4	1994	Trane	CVHF1280	L94B01491	1280	123
Central Services Building (CSB) 1711 San Jacinto Blvd. Austin, TX 78701	Chiller #1	2001	Trane	RTHC1B2FOHOB2L3B2LFVQU00	UO1E03667	200	134A
	Chiller #2	2001/TJR	York	YS CA CA S2 CH ES	EPR-141	175	R22
James E. Rudder (JER) 1019 Brazos St. Austin, TX 78701	Chiller #2 Back-up Only	1982	Carrier	30-11k-060-630	T-736788	75	R22
John H. Winters (JHW) 701 W. 51st St. Austin, TX 78751	Chiller #1	2010	York	YKJQJSP8-CSGS	SEWM-590970	650	134A
	Chiller #2	2010	York	YKJQJSP8-CSGS	SEWM-591230	650	134A
	Chiller #3	2010	York	YKJQJSP8-CSGS	SEWM-591470	650	134A
Robert E. Johnson (REJ) 1501 N. Congress Ave. Austin, TX 78701	Chiller #1	1998	Trane	CVHFO55	L98D02613	550	123
	Chiller #2	1998	Trane	CVHFO55	L98D02622	550	123
	Chiller #3	1998	Trane	CVHF049	L03J06970	485	123
	Chiller #4	1998	Trane	RTWAO704X001C3DOW	U98D09375	70	R22
Stephen F. Austin (SFA) 1700 N. Congress Ave. Austin, TX 78701	Chiller #1	2009	Trane	CVHF1470	L09A06036	1470	123
	Chiller #2	2003	Trane	CVHF1470	L03D04417	1470	123
	Chiller #3	2009	Trane	CVHF1470	L08M05710	1470	123

Building	Asset Tag	Install Date	Manufacturer	Model #	Serial #	Tonnage	Refrigerant
E.O. Thompson (THO) 920 Colorado St. Austin, TX 78701	Chiller #1	2003	Trane	RTWA1004XE01D3DOWFT	U03D09933	100	R22
	Chiller #2	2003	Trane	RTWA1004XE01D3DOWFT	U03D09934	100	R22
William P. Clements (WPC) 300 W. 15th St. Austin, TX 78701	Chiller #1	1985	Trane	CVHE-080F	L85D27519	800	R11
	Chiller #2	1985	Trane	CVHE-080F	L85D27520	800	R11
	Chiller #3	1985	York	YTD1E3C3CMFS	Decommission 1986	350	R11
William P. Hobby T1 (WPH T1) 333 Guadalupe St. Austin, TX 78701	Chiller #1	1985	Dunham-Bush	1212BHF	7069871BA884E	275	R11
	Chiller #2	1985	Dunham-Bush	1212BHF	70698701AA84E	200	R11
William P. Hobby T2 (WPH T2) 333 Guadalupe St. Austin, TX 78701	Chiller #1	1985	Dunham-Bush	1212BHF	70857201A841	150	R11
William P. Hobby T3 (WPH T3) 333 Guadalupe St. Austin, TX 78701	Chiller #1	1985	Dunham-Bush	1210BHF	70926	275	R11
	Chiller #2	1985	Dunham-Bush	1210BHF	70926201A858	200	R11
TX School for the Deaf Plant (TSD Plant) 1102 S. Congress Ave. Austin, TX 78704	Chiller #1	1994	Trane	CVHF091FAF	L94A00051	850	R123
	Chiller #2	1994	Trane	CVHF091FDF	L94A00392	850	R123
	Chiller #3	1994	Trane	RFCXTHA255	U93M09430	250	R22
Dept. of Health New Plant (DHNP) 1100 W. 49th St. Austin, TX 78751	Chiller #1	1999	Trane	CVH4910	L00k05037	910	R123
	Chiller #2	1999	Trane	CVH4910	L00K05048	910	R123
TCEQ Building A (P35A) 12100 N. Interstate 35 Austin, TX 78753	Chiller #1	2015	Trane	RTHDUC2FXJOUAF2A	U13M08110	308.2	134A
	Chiller #2	2000	Trane	RTAA4004XT03A3DOBG	U00D08162	400	R22
Robert D. Moreton (RDM) 1100 W. 49 th St. Austin, TX 78751	Chiller #1	2016	Daikin Applied	WMC250DC	STNU151100133	255	134A
	Chiller #2	2016	Daikin Applied	WMC250DC	STNU151100140	250	134A

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ATTACHMENT G
STATE HOLIDAY SCHEDULE FY16-17

State Holiday Schedule for Fiscal Year 2016			
Holiday	Agency Status	Date	Day of Week
Labor Day	All agencies closed.	9-07-15	Monday
<i>Rosh Hashanah</i>	<i>Optional Holiday</i>	9-14-15	<i>Monday</i>
<i>Rosh Hashanah</i>	<i>Optional Holiday</i>	9-15-15	<i>Tuesday</i>
<i>Yom Kippur</i>	<i>Optional Holiday</i>	9-23-15	<i>Wednesday</i>
Veterans Day	All agencies closed.	11-11-15	Wednesday
Thanksgiving Day	All agencies closed.	11-26-15	Thursday
Day after Thanksgiving	All agencies closed.	11-27-15	Friday
Christmas Eve Day	All agencies closed.	12-24-15	Thursday
Christmas Day	All agencies closed.	12-25-15	Friday
Day after Christmas		12-26-15	Saturday
New Year's Day	All agencies closed.	1-01-16	Friday
Martin Luther King, Jr. Day	All agencies closed.	1-18-16	Monday
Confederate Heroes Day	Skeleton crew required.	1-19-16	Tuesday
Presidents' Day	All agencies closed.	2-15-16	Monday
Texas Independence Day	Skeleton crew required.	3-02-16	Wednesday
<i>Good Friday</i>	<i>Optional Holiday</i>	3-25-16	<i>Friday</i>
<i>Cesar Chavez Day</i>	<i>Optional Holiday</i>	3-31-16	<i>Thursday</i>
San Jacinto Day	Skeleton crew required.	4-21-16	Thursday
Memorial Day	All agencies closed.	5-30-16	Monday
Emancipation Day		6-19-16	Sunday
Independence Day	All agencies closed.	7-04-16	Monday
LBJ's Birthday		8-27-16	Saturday

State Holiday Schedule for Fiscal Year 2017			
Holiday	Agency Status	Date	Day of Week
Labor Day	All agencies closed.	9-05-16	Monday
<i>Rosh Hashanah</i>	<i>Optional Holiday</i>	10-03-16	Monday
<i>Rosh Hashanah</i>	<i>Optional Holiday</i>	10-04-16	Tuesday
<i>Yom Kippur</i>	<i>Optional Holiday</i>	10-12-16	Wednesday
Veterans Day	All agencies closed.	11-11-16	Friday
Thanksgiving Day	All agencies closed.	11-24-16	Thursday
Day after Thanksgiving	All agencies closed.	11-25-16	Friday
Christmas Eve Day		12-24-16	Saturday
Christmas Day		12-25-16	Sunday
Day after Christmas	All agencies closed.	12-26-16	Monday
New Year's Day		1-01-17	Sunday
Martin Luther King, Jr. Day	All agencies closed.	1-16-17	Monday
Confederate Heroes Day	Skeleton crew required.	1-19-17	Thursday
Presidents' Day	All agencies closed.	2-20-17	Monday
Texas Independence Day	Skeleton crew required.	3-02-17	Thursday
<i>Cesar Chavez Day</i>	<i>Optional Holiday</i>	3-31-17	Friday
<i>Good Friday</i>	<i>Optional Holiday</i>	4-14-17	Friday
San Jacinto Day	Skeleton crew required.	4-21-17	Friday
Memorial Day	All agencies closed.	5-29-17	Monday
Emancipation Day	Skeleton crew required.	6-19-17	Monday
Independence Day	All agencies closed.	7-04-17	Tuesday
LBJ's Birthday		8-27-17	Sunday

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ATTACHMENT H REFERENCES

REFERENCES: Contractor shall submit three (3) references for which the contractor has provided **services of similar size, scope and complexity within the last three (3) years.**

A.	Client:			
	Point of Contact:			
	Telephone:			
	Facility Name:			
	Facility Address:			
	Start Date of Contract:		End Date of Contract:	
	Description of Scope of Work:			
B.	Client:			
	Point of Contact:			
	Telephone:			
	Facility Name:			
	Facility Address:			
	Start Date of Contract:		End Date of Contract:	
	Description of Scope of Work:			
C.	Client:			
	Point of Contact:			
	Telephone:			
	Facility Name:			
	Facility Address:			
	Start Date of Contract:		End Date of Contract:	
	Description of Scope of Work:			

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ATTACHMENT I
CRIMINAL BACKGROUND CHECKS AND APPLICATION GUIDELINES

TFC Criminal Background Checks and Application Guidelines (Document #6E)
can be obtained electronically at the TFC website:

<http://www.tfc.state.tx.us/divisions/facilities/prog/construct/formsindex/>

(TO BE ATTACHED AS "EXHIBIT C" TO SERVICES CONTRACT)

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ATTACHMENT J RFP CHECKLIST

Opening Date: May 11, 2016 @ 3:00 P.M. CST

Respondent Name and Address:

Contact: _____

TX Taxpayer #: _____

Office Phone: _____

Mobile Phone: _____

Email: _____

Attended PPC: _____

1. Submitted one (1) original:

- Attachment B – HUB Subcontracting Plan _____
- Attachment C – Execution of Proposal _____
- Attachment D – Compensation and Fees _____
- Litigation History _____
- Bid Bond _____
- Attachment H - References _____
- Acknowledgment of Addenda _____

2. Submit one (1) original and four (4) copies:

- Company Information _____
- Relevant Experience and Qualifications _____
- Attachment F – Contractor's Qualifications Form _____
- Methodology _____
- Quality & Safety Program _____

3. Complete Copy of Proposal on CD _____