



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

REQUEST FOR PROPOSALS

Financial Advisory Services for the
Center for Alternative Finance and Procurement

RFP #303-7-00741

Dated: January 9, 2016

Proposal Due Date: February 14, 2017, 3:00 PM

TABLE OF CONTENTS

Proposal Information

Attachment A	Financial Advisory Services Consultant Agreement Template (Hereinafter referred to as "Services Contract") (Posted as 'Package 2' on the ESBD)
Attachment B	HUB Subcontracting Plan (To be included as Exhibit D to the Services Contract) (Posted as 'Package 3' on the ESBD)
Attachment C	Execution of Proposal
Attachment D	Fee Schedule (To be included as Exhibit B to the Services Contract)
Attachment E	Example Letter of Commitment to Contract
Attachment F	References
Attachment G	RFP Checklist
Attachment H	Parking Permit for Pre-Proposal Conference

THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

REQUEST FOR PROPOSAL Financial Advisory Services

SECTION I - GENERAL

- 1) **SCOPE:** Pursuant to Texas Government Code Section §2267, Public and Private Facilities and Infrastructure, and Section §2156.121, Use of Competitive Sealed Proposals, the Texas Facilities Commission is requesting responses to this Request for Proposal for the provision of consulting services to assist the Center for Alternative Finance and Procurement (the Center) with technical and/or financial feasibility analysis of potential public private partnership (P3) with respect to qualifying projects for responsible governmental entities as defined in Texas Government Code Section §2267.001 (11), that have engaged the Center pursuant to Texas Government Code Chapter §771, §791, and Section §2152.110. When requested, Consultant may be required to provide the following financial analysis services to include, but not be limited to, the following:
 - a) assist in analyzing projects using established project screening methodologies and procedures to determine if P3's or traditional methods are most appropriate for procurement;
 - b) develop, prepare, and present financial briefing materials and reports to ensure communication with the responsible governmental entity and other key stakeholders of a P3 project;
 - c) provide information, including verbal presentations and written materials, to responsible governmental entities and other governmental stakeholders on P3 best practices, including opportunities that can achieve cost savings or revenue generation, tax structures, risk allocation, and procurement strategies;
 - d) assist with communications with ratings agencies and federal/state loan programs and other parties regarding indicative ratings and qualifications for Private Activity Bonds;
 - e) assist in the development of financial models for P3 projects, including a public sector comparator, return on investment or "ROI" calculations for full lifecycle of asset(s) and breakeven points, ROI calculations with net present value or "NPV", comprehensive lifecycle cost and cash flows; and Value for Money analysis at various phases of a project.
 - f) assessing affordability limitations for P3 projects;
 - g) develop benchmarking of financial terms with comparable projects and assist with negotiations of final terms for P3 projects;
 - h) develop financial evaluation criteria and financial submission requirements for financial elements of P3 project proposals;
 - i) assist in the evaluation of financial elements of P3 projects proposals;
 - j) develop and present briefing materials and reports to the government body of the responsible governmental entity and for stakeholder engagement efforts such as public hearings; and
 - k) as requested by the Center, provide other services, advice, and deliverables, as necessary, to assist the Center in providing advice to responsible governmental entities regarding P3 program objectives..
- 2) **CONTRACT TERM:** These services shall be for a period beginning on the date the contract is executed by both parties, and shall terminate on August 31, 2017. The contract may be renewed for two (2) additional two (2) year periods, 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 or as mutually agreed to by both parties.

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. No work is guaranteed under this Agreement. TFC may,

but is not obligated to, from time to time engage the services of Consultant for one (1) or more specific projects and identify the particular services needed through the issuance of an "Assignment."

- 3) **BACKGROUND:** The mission of the Center for Alternative Finance and Procurement is to consult with governmental entities regarding best practices for the procurement and financing of qualifying projects and to assist governmental entities in the receipt of proposals, negotiation of interim and comprehensive agreements, and management of qualifying projects under Chapters 2267 and 2268 of the Texas Government Code. The Center desires to be on the cutting edge of innovative methods to assist in the delivery of qualifying projects, and is seeking one or more Financial Advisors experienced in a wide variety of P3 transactions for advancement of its P3 program. The Center desires a consultant that has a national and international perspective that is capable of demonstrating broad experience with various project analyses and financing methods across a wide range of infrastructure sectors.

The qualified firms will help the Center accomplish its mission and forward the vision of being the public sector partner of choice by providing expert resources to governmental entities in all aspects of project delivery. While facilitating the timely and cost effective implementation of projects, the Center, with the help of its advisors, will assist public entities at all levels of government as they explore and implement alternative project delivery models to provide infrastructure assets in their communities.

- 4) **DEFINITIONS:** The following definitions apply to this Request for Proposal(RFP):

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.

Center – The Center for Alternative Finance and Procurement, a division within TFC.

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 Historically Underutilized Business (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 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.

P3 – Public Private Partnership

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

RFP – Request for Proposal

TFC - Texas Facilities Commission

- 5) **SCHEDULE OF EVENTS:** TFC reserves the right to change the dates in the Schedule of Events set forth above upon written notification to prospective Respondents through a posting of an Addendum on the ESBD.

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

EVENT	DATE
Issue RFP	January 9, 2017
Pre-Proposal Conference	January 24, 2017, 10:30 AM
Deadline for Submission of Questions	February 2, 2017
Deadline for Submission of Proposals/RFP Opening	February 14, 2017, 3:00 PM
Notifications for Interviews	February 17, 2017
Interviews	February 24, 2017
Notification of Award	March 1, 2017

b) Non-Mandatory Pre-Proposal Conference:

i) The Pre-Proposal Conference is scheduled for:

January 24, 2017 at 10:00 AM

The location of the Pre-Proposal conference is:

Central Services Building
Check in with 4th floor receptionist
1711 San Jacinto Blvd.
Austin, TX 78701

ii) 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, Austin, TX. Print out the attached parking permit to place on your dashboard.

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

iii) The meetings will also be available via conference call. To obtain the conference call information, send an e-mail to rico.gamino@tfc.state.tx.us, which includes company name, location, and contact information.

6) **SUBMISSION REQUIREMENTS:**

a) Respondents shall submit one (1) original:

- i) Attachment B – HUB Subcontracting Plan;
- ii) Attachment C – Execution of Proposal;
- iii) Attachment D – Fee Schedule;
- iv) Litigation History
- v) and References.

b) Respondents shall submit one (1) original and five (5) copies:

- i) Executive Summary
- ii) Approach to Providing Services
- iii) Description of Team Members, Relevant Team Experience

- c) Respondent shall provide a CD or USB flash memory drive containing a complete copy of the vendor's response to this RFP. The format shall be Adobe Acrobat version 9.0 or higher.
 - d) Proposal pages should be numbered and contain an organized, paginated table of contents corresponding to the sections listed below in Section 4(d).
 - e) Respondents are strongly encouraged to provide their response on double sided and recycled paper.
- 7) **PROPOSAL COSTS:** Respondents to this RFP are responsible for all costs of proposal preparation and delivery.
- 8) **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 TGC (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.

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

SECTION II – CONTRACTOR REQUIREMENTS

1) CONTRACTOR MINIMUM QUALIFICATIONS:

- a)** Contractor shall have advised on a minimum of three (3) Public-Private Partnership projects that:
 - i) Contractor served in a financial advisor role;
 - ii) Total per project exceeded a value of \$100 million;
 - iii) A minimum of one of the three projects listed must have reached financial close with the help of the contractor.
- b)** Preference will be given to those projects that are NOT in the transportation sector (not including mass transit facilities such as light rail or associated developments). Review Chapter 2267 of Texas Government Code for clarification on the types of Qualifying Projects the Center is able to provide consultation.
- c)** 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.

2) PERSONNEL REQUIREMENTS: The Center discourages changes in Key Personnel from the individuals listed in the Proposal. Any proposed changes in Key Personnel from those identified in the Proposal are subject to TFC/Center approval. For the purposes of this contract, the following positions are considered "Key Personnel":

- **Managing Senior Financial Advisor**
- **Senior Financial Advisor / Subject Matter Expert**

a) Managing Senior Financial Advisor

- i) A minimum of 12 years of progressive experience, including relevant education and certifications, in the development and delivery of P3 program and projects;
- ii) Proven record of providing advanced, research, analysis, evaluations and recommendations to public sector agencies relative to federal and state innovative financing initiatives, financial management tools for P3's and alternative delivery projects and procurements;
- iii) Extensive knowledge and recognized industry leadership in the areas of public sector fiscal policies, risk allocation, cost analysis, contracts and project management of complex P3 projects and other innovative delivery methods;
- iv) Capability to innovatively design project finance structures under the current regulatory structure;
- v) Proven ability to manage a team of financial advisors, tight project timelines and limited budgets in an effective manner; and
- vi) The Managing Senior Consultant will serve as the Assignment Point of Contact for the Center.

b) Senior Financial Advisor / Subject Matter Expert

- i) A minimum of 8 years of progressive experience, including relevant education and certifications, in the development and delivery of P3 projects;
- ii) Proven record of providing advanced, research, analysis, evaluations and recommendations to public sector agencies relative to federal and state innovative financing initiatives, financial management tools for P3's and alternative delivery projects and procurements;
- iii) Capability to innovatively design project finance structures under the current regulatory structure; and
- iv) Extensive knowledge in the areas of public sector fiscal policies, risk allocation, cost analysis, contracts and project management of complex P3 projects and innovative delivery methods.

c) Financial Advisor

- i) A minimum of 4 years of experience, including relevant education and certifications, in the development and delivery of P3 projects and alternative delivery procurements;
- ii) Expertise in the fields associated with P3 project delivery including, but not limited to, financial modeling, project finance structuring and innovative project funding methods; and
- iii) Ability to support all Assignment related activities including document creation, research and product delivery.

d) Administrative Personnel / Technical Writer

- i) Clear ability in production of materials associated with the Assignment including RFI, RFQ, RFP, P3 agreements as well as applications, reports and documents for federal, state and local district officials or agencies; and
- ii) Knowledge of administrative responsibilities including, but not limited to, creation of presentations, document drafting, reports and applications.

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

SECTION III – PROPOSAL REQUIREMENTS

- 1) **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.
 - a) **Executive Summary, <10 pts>** - Including, but not limited to the following:
 - (1) Respondents shall provide an executive summary containing a brief description of their proposal and how it fulfills all the minimum requirements in Section II, (1) Contractor Minimum Qualifications above. The summary should also provide a brief discussion of the Respondent's organizational history, mission and goals, the number of employees and structure indicating that the Respondent has sufficient skilled, credentialed, and experienced staff to make the projects awarded successful.
 - (2) Provide a primary contact including name, office phone, mobile phone, and e-mail address.
 - b) **Approach to Providing Services, <25 pts>**
 - (1) Submit a detailed description of the approach the Respondent follows to provide financial advisory services. The approach description shall provide sufficient information to enable the Center to understand and evaluate the Respondent's plan to meet the requirements of the services requested.
 - (2) Demonstrate how the Respondent plans to assemble team members that provide a wide range of services noted in the scope stated above and describe how the team will work in coordination with the Center to meet the objectives of the P3 program.
 - (3) Provide a staffing plan with an organizational chart indicating the resources and individuals that will be dedicated to the services required. The staffing plan should include the number, names where possible, and the capabilities and experience of the personnel to be assigned to the project. The staffing plan should also include the ability of the offerors team to respond in a timely manner to requests from the Center and the Respondent team resources to be dedicated to the provision of the services required.
 - (4) Include a plan detailing how the offeror will evaluate and report any actual, potential or perceived conflict of interest that exists or may exist as a result of any work performed, position taken, or conclusion reached for any former or current client which would cause the contractor to be disqualified or provide a basis to question the contractor's impartiality or objectivity throughout the lifetime of the contract.
 - (5) Respondent shall specify the anticipated percentage of time dedicated by each role for any given project.
 - c) **Description of Team Members, Relevant Team Experience, <45 pts>**
 - (1) Describe the role and services performed on the three (3) past Public-Private Partnership projects that exceeded \$100 million as required in Section II, (1) Contractor Minimum Qualifications above. Name the team members assigned to each of these projects and describe their role and duties performed for each project.
 - (2) Provide descriptions of each proposed team member with statements and/or letter indicating all team members' commitment to the contract as per Attachment E. Each team member shall be identified by firm name and location. There shall be a description of the role of each team member. Further, provide a description of each team member's capabilities and experience in providing similar services to other organizational entities and specify the role of each team member in delivering the services.
 - (3) Detailed resumes must be submitted for all proposed personnel for each labor category in each service line/area. Submission of multiple resumes for the same labor category is allowed. Only one billing rate will be applied to each labor category.

- (4) Provide a general description of similar services previously provided by the team members to other entities or organizations.
 - (5) Provide a description of the Respondent's understanding of the federal and state statutes governing P3 and alternative delivery procurements, and the various procurement processes for P3 projects. In particular, the Respondent should focus on their team's experience in evaluating, managing, negotiating or otherwise participating in public-private partnerships or alternative delivery methods for P3 projects.
 - (6) Provide any relevant experience the firm(s) may have with the relevant Federal or state agencies, particularly in regards to public-private partnerships or alternative delivery methods for P3 projects.
 - (7) Some Financial Advisory Services will require advisors to hold one or more advisory services licenses governed by entities such as Financial Industry Regulatory Authority (FINRA) or the Securities and Exchange Commission (SEC). Respondents should highlight all licenses held by firms and staff that are relevant to the scope of work defined in this RFP.
 - (8) **Demonstrate Team Knowledge and Experience in:**
 - (a) Analyzing projects using established project screening methodologies and procedures to determine if P3's or traditional methods are most appropriate for procurement including Value for Money and other relevant analysis procedures.
 - (b) Experience in assessing affordability limitations for P3 type projects.
 - (c) Assisting with financial elements of applications to governing authorities, including the negotiations associated with these elements as applicable to Federal and State laws and regulations.
 - (d) Financial issues related to P3 programs and projects
 - (e) Developing financial models that include sensitivity assessments for P3 projects;
 - (f) Assessing financial risk for P3 projects;
 - (g) Developing financial elements of P3 agreements and assisting with negotiations of final terms for P3 projects;
 - (h) Assistance in attracting qualified Offerors to maximize competition;
 - (i) Developing financial evaluation criteria and financial submission requirements for financial elements of P3 project proposals;
 - (j) Evaluating financial elements of P3 projects and proposals, including evaluations of prospective bidders' abilities to finance the life of a project;
 - (k) Developing and presenting financial briefing materials and reports.
 - (l) Contractor must demonstrate experience across a broad spectrum of issues in the structuring, analysis, evaluation, documentation, and development of P3 delivery options.
 - (m) Contractor must demonstrate its ability to assist the Center in other financial support services as deemed necessary including, but not limited to, implementing detailed internal project development and delivery processes, developing detailed technical provisions, assisting in developing an outreach and education plan, assisting in the development of a Value for Money analysis and report, and other services related to the P3 program.
- d) **Fee Schedule, <20 pts>** - Include pricing on the Attachment D – Fee Schedule. **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.

- e) **References: <P/F>** Provide contact information for the three (3) P3 projects as listed in Section III.c.1 above. Use Attachment F – References to provide reference information. TFC will contact the references provided for the short listed firms prior to interview to discuss past performance.
- f) **Litigation: <P/F>**
- (1) Provide details of all litigation history related to the provision of services envisioned by this solicitation, including but not limited to administrative claims and proceedings and arbitration within the past seven (7) years.
 - (2) Respondents involved in litigation, depending upon the circumstances of the litigation, may be disqualified at the sole discretion of TFC.
- g) **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.
- h) **Addenda Acknowledgement:** Receipt of all addenda to this RFP should be acknowledged by returning a signed copy of each addendum with the submitted proposal.
- i) **HUB Subcontracting Plan:**
- (1) The Attachment B – HUB Subcontracting Plan shall be completed, signed and returned with the proposal. As mandated by 34 TAC, 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) 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.
 - (3) Pursuant to TGC, 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.
 - (4) 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 HSP if:
 - (a) Contractor complies with 34 TAC, Section §20.14;
 - (b) Contractor provides its proposed changes to TFC for review;
 - (c) TFC approves Contractor's proposed changes to its HSP; and
 - (d) TFC and Contractor amend their contract by submitting a revised HSP containing the changes approved by TFC.
 - (5) If TFC determines that the contractor failed to implement its HSP in good faith, TFC, in addition to any other remedies, may report nonperformance to the CPA in accordance with 34 TAC, Section §20.14(g)(5).

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

2) **INQUIRIES:**

- a) All non-HUB 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 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.

3) **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 submittals; however no submittals shall be accepted once the submittal opening process has begun, notwithstanding acceptable evidence that the delivery of the submittal was the fault of the shipper or the submittal was under agency control at the time of the opening.
- 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.

4) **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 #303-7-00741 Central Services Building P.O. Box 13047 Austin, TX 78711-3047	TFC – Bid Services ATTN: Rico Gamino RFP #303-7-00741 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 #303-7-00741 Central Services Building 4 th Floor Receptionist 1711 San Jacinto Blvd. Austin, TX 78701 Hours – 8:00 AM to 5:00 PM

5) **PROPOSAL OPENING:**

- a) Proposals will be opened at the Central Services Building, 1711 San Jacinto Blvd., Austin, Texas 78701. Only names of the Respondents will be read at the opening.
- b) All submitted Proposals become the property of TFC after the RFP 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.

6) **PROPOSAL EVALUATION AND AWARD:**

- a) TFC intends to award multiple contract(s) to the Respondent(s) whose proposals are considered to provide the best value to the State of Texas, as defined by TGC, 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, 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>
Executive Summary	10%
Approach to Providing Services	25%
Description of Team Members, Relevant Team Experience	45%
Fee Schedule	20%
References	P/F
Litigation	P/F
	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 Respondent's performance, depending on problems encountered, may be grounds for disqualification.
- 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 the TGC, 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 contact 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 TAC 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 Proposal (includes all remaining Attachments), and Respondent's response to Request for Proposal.

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

ATTACHMENT A - SERVICES CONTRACT

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

Posted as 'Package 2' on the ESBD

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

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 D" TO SERVICES CONTRACT)

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

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 conditions affecting the work, Respondent hereby proposes to furnish all labor, materials, and equipment necessary to perform the services at the hourly rates proposed in Attachment D – Fee Schedule.

RESPONDENT AFFIRMATIONS:

- 1) 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 disqualify awarded Respondent and proceed with the next ranked Respondent, and so on as provided by statute.
- 2) All statements and information prepared and submitted in the response to this RFP are current, complete and accurate.
- 3) Respondent has not given, offered to give, 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 response. Failure to sign this Execution of Proposal or signing it with a false statement shall void the submitted offer or any resulting contracts.
- 4) Neither the Respondent nor 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).
- 5) 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 TAC, Title 34, Part 1, Chapter 20.
- 6) Pursuant to TGC, Title 10, Subtitle D, Section 2155.004(a), the bidder has not received compensation for participation in the preparation of specifications for this solicitation.
- 7) Respondent is in compliance with TGC, 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.
- 8) HB1295 of the 84th Legislature mandates that you must comply with the following:

TGC 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 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.

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.

- 9) 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.
- 10) 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 records and tracks 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.
- 11) 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: _____

(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.

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

**ATTACHMENT D
FEE SCHEDULE**

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

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

Respondent Name: _____

FEE SCHEDULE

Labor Category	Hourly Rate
Managing Senior Financial Advisor	\$
Senior Financial Advisor/Subject Matter Expert	\$
Financial Advisor	\$
Administrative Personnel/Technical Writer	\$

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

Attachment E – Example Letter of Commitment to Contract

<Company Letterhead>

Name
Company Name
Company Address

RE: Commitment of Key Personnel to Fulfill Contract Requirements

Dear Mr. Franco:

Company Name, as the current employer of the following personnel:

- List proposed personnel

Is committing to maintain the availability of all listed personnel for active involvement as required by the Center for Alternative Finance and Procurement for proper performance in a financial advisor role during the term of the contract.

Sincerely,

<Signature>
Contact Name
Title

ATTACHMENT F – REFERENCES

Respondent Name: _____

Project Title:	
Public Entity Name:	
Contact Name:	
Contact Title:	
Business Address:	
E-mail Address:	
Phone number:	
Private Entity Name:	
Contact Name:	
Contact Title:	
Business Address:	
E-mail Address:	
Phone number:	
Employer:	
Project start & end dates:	
Project Description:	
Project Cost:	
Scope of Work Performed:	
Names and Role of Staff on Project	

This page may be reproduced as needed to document each reference.

THIS PAGE OR A REASONABLE FACSIMILE SHALL BE RETURNED WITH THE RESPONSE. FAILURE TO RETURN THIS PAGE OR A REASONABLE FACSIMILE WILL RESULT IN THE RESPONSE BEING CONSIDERED NON-RESPONSIVE. ANY NEGATIVE RESPONSE(S) MAY RESULT IN DISQUALIFICATION OF THE RESPONSE.

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

ATTACHMENT G RFP CHECKLIST

Opening Date: February 14, 2017 @ 3:00 P.M. CT

Respondent Name and Address:

_____	Contact: _____
_____	VID #: _____
_____	O. Phone: _____
_____	M. Phone: _____
_____	E-mail: _____

Attended PPC: _____

1. Submitted one (1) original:

- Attachment B – HUB Subcontracting Plan _____
- Attachment C – Execution of Proposal _____
- Attachment D – Fee Schedule _____
- Litigation History _____
- Attachment F - References _____
- Acknowledgment of Addenda _____

2. Submitted one (1) original and five (5) copies:

- Executive Summary _____
- Approach to Services _____
- Description of Team Members, Relevant Team Experience _____
 - Attachment E – Letter of Commitment _____

3. Submitted complete copy of proposal on CD or USB Drive _____

**ATTACHMENT H
PARKING PERMIT FOR PRE PROPOSAL CONFERENCE**

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK



This vehicle is permitted to park at top of Garage B from
01/24/17 to 01/24/17 for 20 vehicles.

Agency requested: TEXAS FACILITIES COMMISSION

Requested by: LAURA HALL

Phone number: 512-463-8848

Request #: 01-17-1497

Place this on the dashboard where it can be clearly seen
from the front of the vehicle. This permit is only valid for the
dates and location listed above. Questions or help, call
Monday to Friday, 7:30am to 5pm @512-463-3476.