



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

## REQUEST FOR PROPOSALS

EMERGENCY GENERATORS AND AUTOMATIC  
TRANSFER SWITCHES PREVENTATIVE  
MAINTENANCE, REPAIR, AND RENTAL  
SERVICES

**ADDENDUM #03 REVISION**

RFP #303-9-01352

Dated: June 21, 2019

Proposal Due Date / Opening: **July 29, 2019 @ 3:00 PM**

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**REQUEST FOR PROPOSAL**  
**Emergency Generators and Automatic Transfer Switches Preventative  
Maintenance, Repair and Rental Services, Austin, TX**

- 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 Proposal for the provision of emergency generators, associated automatic transfer switches, and fire pumps, maintenance, repair services and for rental of generators, as needed in multiple State Buildings located in Austin, Texas. The purpose of this contract is to place into operation a continuing system of full preventative and routine maintenance, providing necessary systematic and periodic service and maintenance of specified equipment.
- 2) **CONTRACT TERM:** This service shall be for a period beginning September 1, 2019 and shall expire on August 31, 2021. The contract may be renewed for one (1) additional two (2) year period, provided the 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 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.

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, legal 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://www.txsmartbuy.com/sp>.

***NOTE: YOU MUST USE GOOGLE CHROME WHEN NAVIGATING CPA WEBSITES***

Good Faith Effort: Effort required by vendors when completing the Attachment C, HUB Subcontracting Plan, which demonstrates the Respondent has completed one of the following for the planned subcontracting needs: A) Using strictly HUBs for all subcontracting needs, B) Meeting stated agency goal for HUB subcontracted needs using both HUB and Non-HUB vendors, C) Performing “Traditional Good Faith Effort” of notifying two minority/women trade organizations and soliciting bids from three HUBs for each subcontracting opportunity, and allowing seven business days for response, D) Self-Performing Contract (performing all work with own materials and labor), or E) Utilizing a Mentor Protégé relationship (a formal agreement that is recognized by the State of Texas Comptroller of Public Accounts). For a listing of Mentor Protégé agreements click on link: <https://mycpa.cpa.state.tx.us/mentorprotege/ctg/menproPairs/>.

***NOTE: YOU MUST USE GOOGLE CHROME WHEN NAVIGATING CPA WEBSITES***

HUB Subcontracting Plan (HSP): The HSP required by Chapter 2161 of the Texas Government Code (TGC) and by Title 34, Part 1, Chapter 20, Subchapter D, §20.281- §20.298 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 ESB.
- a) The solicitation process for this RFP will proceed according to the following schedule:

EVENT	DATE
Issue RFP	June 21, 2019
Pre-Proposal Conferences  (Respondents are required to attend only one of the scheduled meetings)	Friday, June 28, 2019 @ 9:00 AM  Monday, July 1, 2019 @ 9:00 AM
Deadline for Submission of Questions	<b>Thursday, July 18, 2019 @ 12:00 PM</b>
Deadline for Submission of Proposals/RFP Opening	Monday, July 29, 2019
Expected Contract Start Date	September 1, 2019

- i) **MANDATORY PRE-PROPOSAL CONFERENCES:** The Pre-Proposal Conferences are scheduled for:

Friday, June 28, 2019 @ 9:00 AM

Monday, July 1, 2019 @ 9:00 AM

The location of the Pre-Proposal conferences is:

Central Services Building

1711 San Jacinto

Austin, TX 78701

Room 402

- ii) Attendance of 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. Check in with the 4<sup>th</sup> floor receptionist.
- iii) For the pre-proposal conferences, there is metered parking (coins) on the street, or free parking is available on the top level of State Garage B, 1511 San Jacinto, Austin, TX. Print out the [Attachment I - Parking Permit for Garage B](#) to place on your dashboard.

[Parking Map](#)

- 5) **PROPOSAL REQUIREMENTS:**

- a) **SUBMISSION REQUIREMENTS:**

- i) Respondents shall submit one (1) original:

- (1) Attachment B – Execution of Proposal;
  - (2) Attachment C – HUB Subcontracting Plan;
  - (3) Attachment D – Facilities, Equipment List, Compensation and Fees;
  - (4) Bid Bond;
  - (5) Litigation History; and
  - (6) References.
- ii) Respondent shall submit one (1) original and three (3) 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; and
  - (5) Quality Control and Safety Programs.
- iii) Additionally, Respondent shall provide a formatted 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.
- iv) Proposal pages should be numbered and contain an organized, paginated table of contents corresponding to the sections listed below.
- v) Respondents to this RFP are responsible for all costs of proposal preparation and delivery.
- b) **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 electronic copy, Respondent should mark the medium 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. Note that pricing is not considered confidential under the Texas Public Information Act. Upon award, a full tabulation that includes all submitted pricing and scores will be distributed to all Respondents. **Do not mark your entire proposal as "Confidential"**.
- c) **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. Proposals that fail to include the Attachment B – Execution of Proposal, Attachment C – HUB Subcontracting Plan, Bid Bond, or Attachment D – Facilities, Equipment List, Compensation and Fees shall be disqualified.

- i) **COMPANY INFORMATION: <0 pts.>** Includes, 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; and
  - (6) Office and mobile telephone number and email of company's primary contact.
  
- ii) **RELEVANT EXPERIENCE AND QUALIFICATIONS: <25 pts.>**
  - (1) Complete and submit Attachment F – Contractor's Qualifications Form. 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; and
  - (5) An organizational chart which shows roles and responsibilities of key individuals assigned to provide services under the contract;
  - (6) **Specific relevant experience:**
    - (a) Contractor must have a minimum of ten (10) years business and technical experience performing services in populated office buildings.
    - (b) Contractor must have a minimum of one (1) licensed master electrician on staff or on retainer to provide services for this Contract.
  - (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) Contractor must have a minimum of one (1) National Institute of American Service Excellence (ASE) certified diesel mechanic on staff in the Austin area, as stated in Subsection (d) below.
  
- iii) **PROPOSED METHODOLOGY: <20 pts.>** A detailed plan outlining 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) Problem solving;
  - (3) Value engineering;
  - (4) Maintaining budgets;
  - (5) Maintaining schedules;

- (6) Staff sizing and roles;
- (7) Company workload in proportion to the services outlined in the contract; and
- (8) Coordination of work with subcontractors.

iv) **QUALITY & 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 – FACILITIES, EQUIPMENT LIST, COMPENSATION AND FEES: <50 pts.>** Include pricing on the Attachment D – Facilities, Equipment List, 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 and may be cause for rejection of the proposal, at the full and sole discretion of TFC.

vi) **ATTACHMENT B - EXECUTION OF PROPOSAL:** The Attachment B – 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) **REFERENCES: <Pass/Fail>** (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: <Pass/Fail>**

(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 an **original**, embossed 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 \$25,000.00. No other form of security will be accepted. Photocopies of a bid security or notes from bonding entities are not acceptable. Failure to provide an acceptable bid bond, certified and/or cashier's check may result in disqualification of proposal.

(1) Should the contractor fail, neglect, or refuse to begin performance of the contract after receiving the award, said security will be forfeited to TFC. Performance shall be considered begun upon acknowledgement of the contract award and the furnishing of all required security bonds and insurance coverage.

- (2) If TFC has not made an award within ninety (90) calendar days after responses are opened, Respondents may withdraw their responses without prejudice; however, Respondents have the option to extend the time in which their bids will be honored after this ninety (90) day period.
- 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 B – Execution of Proposal Form and the Attachment C – HUB Subcontracting Plan.
- xi) **ATTACHMENT C - HUB SUBCONTRACTING PLAN:** Submittal Requirements: In accordance with the Texas Government Code (TGC), Sections 2161.181-182 and Title 34, Part 1, Chapter 20, Subchapter D, §20.281- §20.298 of the Texas Administrative Code (TAC), the TFC shall make a Good Faith Effort to utilize HUBs in contracts for general services, construction services, professional and consulting services, and commodities contracts. Failure to complete and return the Attachment C - HUB Subcontracting Plan shall result in rejection of the response. 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 § 20.284:
- 11.2% for heavy construction other than building contracts,
  - 21.1% for all building construction,
  - **32.9% for all special trade construction contracts,**
  - 23.7% for professional services contracts,
  - 26.0% for all other services contracts, and
  - 21.1% for commodities contracts

**Statement of Probability:** TFC has determined that subcontracting opportunities are probable in connection with this procurement Solicitation. Therefore, a HUB Subcontracting Plan is required as a part of the Respondent's Proposal. The Respondent shall develop and administer a HUB Subcontracting Plan as a part of the Respondent's Proposal.

- (1) As mandated by 34 TAC § 20.285 Respondents must submit an Attachment C - HUB Subcontracting Plan that identifies all subcontracting items and complies with good faith effort requirements of the Attachment C - HUB Subcontracting Plan.
- (2) Pursuant to TGC § 2161.252(B), the Texas Facilities Commission shall reject any response that does not include a fully completed HUB Subcontracting Plan. An incomplete HUB Subcontracting Plan is considered a material failure to comply with the solicitation requirements.
- (3) The HUB Subcontracting Plan shall become a provision of the contract between the awarded Respondent and TFC. The awarded Respondent can only change the HUB Subcontracting Plan if: (a) the Respondent complies with 34 TAC Section 20.285; (b) the Respondent provides its proposed changes to TFC for review; (c) TFC approves the Respondent's proposed changes to its HUB Subcontracting Plan; and (d) TFC and the Respondent amends their contract by submitting a revised HUB Subcontracting Plan containing the changes approved by TFC.
- (4) If TFC determines that the Respondent failed to implement the HUB Subcontracting Plan in good faith, TFC, in addition to any other remedies, may report nonperformance to the Texas Comptroller in accordance with 34 TAC, Section 20.285, (g) (5).
- (5) HUB subcontracting opportunities may be available in the following commodity class/item codes and descriptions. The list below contains the 'Class' (three-digit) and 'Item' (two-digit) codes of potential subcontracting trades for this solicitation. These codes are defined by the National Institute of Governmental Purchasing (NIGP). A complete listing of all NIGP Class & Item Codes can be found at: <https://mycpa.cpa.state.tx.us/commbook/>

<b><u>Class/Item</u></b>	<b><u>Description</u></b>
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936 25	Generator Maintenance And Repair, Electric
981 43	Generator Rental Or Lease
936 25	Electrical Equipment Maintenance And Repair Services (Not Cable Or Fixtures)
910 82	Electrical Wiring Maintenance, Installation, And Repair

- (6) If assistance is needed in preparing the HUB Subcontracting Plan, potential Respondents may contact Yolanda Strey by email at [HUB@tfc.state.tx.us](mailto:HUB@tfc.state.tx.us)
- (7) Requirement to Utilize HUB Compliance Reporting System. Pursuant to Texas Administrative Code, Title 34 §§ 20.85(f)(1)(2) and 20.287(b), TFC administers monthly HSP-PAR compliance monitoring through a HUB Compliance Reporting System commonly known as B2G. The successful Respondent and any subcontractors must submit required PAR information into the B2G system. Any delay in the timely submission of PAR information into the B2G system will be treated as an invoicing error subject to dispute under Tx. Gov't Code Section 2251.042.

6) **INQUIRIES:**

- a) All non-HUB related inquiries shall be submitted in writing to Colin Gresham by email to [colin.gresham@tfc.state.tx.us](mailto:colin.gresham@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://www.txsmartbuy.com/sp>. 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 or acknowledge addenda will in no way release the respondent from any obligations detailed in the addenda. Any additional costs incurred to meet the requirements of the RFP are the sole responsibility of each respondent.
- 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 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 shall be placed in an envelope/package/box and correctly identified with the RFP number, submittal deadline/RFP opening date and time and Purchaser's name. 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

Emergency Generators and Automatic Transfer Switches  
Preventative Maintenance, Repair and Rental Services, Austin, TX  
RFP 303-9-01352 – **ADDENDUM #03 REVISION**

TFC – Bid Services ATTN: Colin Gresham RFP #303-9-01352 Central Services Building P.O. Box 13047 Austin, TX 78711-3047	TFC – Bid Services ATTN: Colin Gresham RFP #303-9-01352 Central Services Building, Rm. 176 1711 San Jacinto Blvd. Austin, TX 78701  Hours – 8:00 AM to 5:00 PM	TFC – Bid Services Colin Gresham RFP #303-9-01352 Central Services Building 4 <sup>th</sup> Floor Receptionist 1711 San Jacinto Blvd. Austin, TX 78701  Hours – 8:00 AM to 5:00 PM
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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 TGC, Section 2155.074. TFC reserves the right to make multiple awards under this RFP.
- b) When considering best value and award, TFC reserves the right to set a minimum requirement regarding the weighted criteria listed in Subsection (d) 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:

Criteria	Weight
Company Information	0%
Relevant Experience & Qualifications	25%
Methodology	20%
Quality Control/Quality Assurance/Safety	5%
Compensation and Fees	50%
	100%
 References	 Pass/Fail
Litigation	Pass/Fail

- 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.txsmartbuy.com/vpts>). 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 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 C 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.

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**ATTACHMENT A**  
**SERVICES CONTRACT**

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

**Posted on the ESB**

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**ATTACHMENT B**  
**EXECUTION OF PROPOSAL**

**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.

**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.**

**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 - Contractor'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 and surety bonds 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 amount of \$25,000 and disqualify awarded Respondent and proceed with the next ranked Respondent, and so on as provided by statute.

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 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.

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).

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.

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.

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.

HB1295 of the 84<sup>th</sup> 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/filinginfo/1295/> for more information and instructions for electronic filing of Form 1295.

Questions concerning the Form 1295 may be directed to TFC Legal Services, Martin V. Blair; [martin.blair@tfc.state.tx.us](mailto:martin.blair@tfc.state.tx.us)

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 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.

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: \_\_\_\_\_

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 C**  
**HUB SUBCONTRACTING PLAN**

**Posted on the ESBD**

For electronic completion (RECOMMENDED) click here:

[HUB Forms](#)

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

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**ATTACHMENT D**  
**FACILITIES, EQUIPMENT LIST, COMPENSATION AND FEES**  
(TO BE ATTACHED AS “EXHIBIT A” TO SERVICES CONTRACT)

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**ATTACHMENT E**  
**INSPECTION CHECKLIST EMERGENCY GENERATOR AND  
AUTOMATIC TRANSFER SWITCHES**

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

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Emergency Generators and Automatic Transfer Switches  
Preventative Maintenance, Repair and Rental Services, Austin, TX  
RFP 303-9-01352 – **ADDENDUM #03 REVISION**

INSPECTION CHECKLIST EMERGENCY GENERATOR and AUTOMATIC TRANSFER SWITCH											Date:	
TFC WORK ORDER NUMBER				LOCATION				FUEL TYPE				
VENDOR TECHNICIAN				GENERATOR MAKE/MODEL/ SERIAL NO.				VOLTAGE				
HOUR METER				TRANSFER SWITCH MAKE/MODEL/SER NO				PHASE				
<b>1. GENERATOR</b>	OK	CAUTION	DANGER	<b>3. ENGINE LUBRICATION</b>	OK	CAUTION	DANGER	<b>5. INSTRUMENTATION</b>	OK	CAUTION	DANGER	
WINDINGS				OIL LEVEL				OIL PRESSURE GAUGE ___ PSI				
BEARING				OIL CHANGED Y OR N				WATER TEMP GAUGE				
BRUSHES				FILTER CHANGED Y OR N				AMMETER ___ DC AMPS				
LEADS AND CONNECTIONS				OIL SAMPLE TAKEN Y OR N				AC ELECTRIC METERS				
CIRCUIT BREAKER				CONDITION OF CRANKCASE BREATHER				CONTROL PANEL WIRING				
MOUNTS / BOLTS				BLOWBY				INDICATOR LAMPS CHANGED Y OR N				
NOISE				TUBES / LINES / SEALS				<b>6. AIR INDUCTION &amp; EXHAUST</b>				
VOLTAGE LOAD ___ VAC				GASKETS				CONDITION OF PRECLEANER				
FREQUENCY NO LOAD ___ HZ				GOVERNOR OIL LEVEL				AIR FILTER CHANGED Y OR N				
FREQUENCY LOAD ___ HZ				<b>4. ENGINE ELECTRICAL</b>				CONDITION OF FILTER HOUSING				
AMPERAGE LOAD ___ AMP				BATTERY WATER LEVEL				INLET PIPING GASKETS ETC				
AUTO START/STOP				NO OF BATTERIES ___				CONDITION/SOUND OF TURBO				
SHUTDOWNS				AGE OF BATTERY ___				TURBO OIL LEAKS				
PREALARMS				BATTERIES CHANGED Y OR N				EXHAUST PIPES				
REMOTE ANNUNCIATOR				SG BATTERY 1 ___ ___ ___ ___				SILENCER DRAIN COND TRAP				
<b>2. COOLING SYSTEM</b>				LOAD TEST GOOD FAIR WEAK				RAIN CAP				
RADIATOR CORE CONDITION				SG BATTERY 2 ___ ___ ___ ___				EXHAUST MANIFOLD				
RADIATOR CAP				LOAD TEST GOOD FAIR WEAK				EXHAUST SMOKE				
COOLANT LEVEL				SG BATTERY 3 ___ ___ ___ ___				<b>7. FUEL SYSTEM</b>				

Emergency Generators and Automatic Transfer Switches  
Preventative Maintenance, Repair and Rental Services, Austin, TX  
RFP 303-9-01352 – **ADDENDUM #03 REVISION**

INSPECTION CHECKLIST EMERGENCY GENERATOR and AUTOMATIC TRANSFER SWITCH										Date:		
ANTI-FREEZE PT ____				LOAD TEST GOOD FAIR WEAK				PRIMARY FILTER CHANGED Y OR N				
PH LEVEL ____				SG BATTERY 4 _____ _____				SECONDARY FILTER CHANGED Y OR N				
COOLANT CHANGED Y OR N				LOAD TEST GOOD FAIR WEAK				LINES AND CONNECTIONS				
HOSES AND CLAMPS				BATTERY CLEANLINESS				PRIMING PUMP				
HOSES CHANGED Y OR N				CABLES AND POSTS				CARBURETOR/MIXER				
GASKETS AND CONNECTIONS				ALTERNATOR CONDITION				FUEL SOLENOID/REGULATORS				
PRESSURIZED ____ LBS FOR 10 MINS				ALTERNATOR BELT				OPERATION OF GOVERNOR/CONTROL				
BELTS AND PULLEYS				WIRING AND CONTROLS				DAY TANK LEAKS/OPERATIONS				
BELT TENSION				OPERATION OF GLOW PLUGS				WATER IN TANK Y OR N				
BELTS CHANGED Y OR N				ALTERNATOR OUTPUT ____ VDC				FUEL SAMPLE Y OR N				
FAN BEARINGS / BLADES				BATTERY CHARGER OUTPUT ____ VDC				FUEL ADDED Y OR N				
WATER PUMP				STARTING MOTOR				% OF FUEL IN TANK ____				
COOLANT HEATER ____ DEGREES F				SPARK PLUGS				<b>8. TRANSFER SWITCH</b>				
BLOCK HEATER CHANGED Y OR N				SPARK PLUG WIRES				WIRING				
HEATER THERMOSTAT				DISTRIBUTOR CAP ROTOR				CONNECTIONS TEMP/CORROSION				
								CONTACTOR OPERATION				
								CONTACTS				
								TIMERS/CONTROLS OPERATION				
								TRANSFER TEST DONE Y OR N				
<b>TECHNICIAN COMMENTS</b>												
<b>PARTS USED AND QUANTITY</b>												
<b>TFC SIGNATURE AND DATE</b>												

## **ATTACHMENT F** **CONTRACTOR’S QUALIFICATIONS FORM**

**QUALIFICATIONS/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**. Additional information may be submitted or attached at Respondent’s discretion to provide a detailed summary of Qualifications & Experience of similar/relevant scope.

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

**ADDITIONAL COMPANY INFORMATION:**

Number of Years in Business:		
Physical Office Presence in Austin Area? (Yes/No)		
Office Address:		
Current Number of Permanent, Full Time Employees:		
Current Number of Permanent, Part-Time Employees		
Current Total Number of Employees:		
Geographic Limits of Operations:		
List any Industry Certifications/Qualifications/Formal Training Programs that your staff (who will be servicing this account) have been certified in:		
Name	Certifications/Qualifications/Formal Training	
List any applicable licenses currently held by staff that will services this account		
Name	License	Number

**PRESENT CONTRACTS:**

<b>A.</b>	Client:			
	Point of Contact:			
	Telephone:			
	Facility Name:			
	Facility Address:			
	Start Date of Contract:		End Date of Contract:	
	Description of Scope of Work:			
<b>B.</b>	Client:			
	Point of Contact:			
	Telephone:			
	Facility Name:			
	Facility Address:			
	Start Date of Contract:		End Date of Contract:	
	Description of Scope of Work:			
<b>C.</b>	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 G**  
**CRIMINAL BACKGROUND CHECKS AND APPLICATION GUIDELINES**

(Posted on the ESBD)

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

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**ATTACHMENT H**  
**STATE HOLIDAY SCHEDULE FY19**

**State Holiday Schedule for Fiscal Year 2019**

Holiday	Agency Status	Date	Day of Week
Labor Day	All agencies closed.	9-03-18	Monday
<i>Rosh Hashanah</i>	<i>Optional Holiday</i>	<i>9-10-18</i>	<i>Monday</i>
<i>Rosh Hashanah</i>	<i>Optional Holiday</i>	<i>9-11-18</i>	<i>Tuesday</i>
<i>Yom Kippur</i>	<i>Optional Holiday</i>	<i>9-19-18</i>	<i>Wednesday</i>
Veterans Day		11-11-18	Sunday
Thanksgiving Day	All agencies closed.	11-22-18	Thursday
Day after Thanksgiving	All agencies closed.	11-23-18	Friday
Christmas Eve Day	All agencies closed.	12-24-18	Monday
Christmas Day	All agencies closed.	12-25-18	Tuesday
Day after Christmas	All agencies closed.	12-26-18	Wednesday
New Year's Day	All agencies closed.	1-01-19	Tuesday
Confederate Heroes Day		1-19-19	Saturday
Martin Luther King, Jr. Day	All agencies closed.	1-21-19	Monday
Presidents' Day	All agencies closed.	2-18-19	Monday
Texas Independence Day		3-02-19	Saturday
Cesar Chavez Day		3-31-19	Sunday
<i>Good Friday</i>	<i>Optional Holiday</i>	<i>4-19-19</i>	<i>Friday</i>
San Jacinto Day		4-21-19	Sunday
Memorial Day	All agencies closed.	5-27-19	Monday
Emancipation Day	Skeleton crew required.	6-19-19	Wednesday
Independence Day	All agencies closed.	7-04-19	Thursday
LBJ's Birthday	Skeleton crew required.	8-27-19	Tuesday

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**ATTACHMENT I**  
**PARKING PERMIT FOR GARAGE B**  
(Posted on the ESBD)

**ATTACHMENT J**  
**PAYMENT, PERFORMANCE AND BOND RIDER FORMS**  
(Posted on the ESBD)

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

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**ATTACHMENT K**  
**RFP CHECKLIST**

Checklist for RFP 303-9-01352

Title: Emergency Generators and Automatic Transfer Switches Preventative Maintenance, Repair and Rental Services, Austin, TX

Opening Date: July 29, 2019 @ 3:00 PM CT

Respondent Name:

\_\_\_\_\_

Attended PPC: \_\_\_\_\_

1. Submitted one (1) original:

- Attachment B – Execution of Proposal \_\_\_\_\_
- Attachment C – HUB Subcontracting Plan \_\_\_\_\_
- Attachment D – Facilities, Equipment List, Compensation and Fees \_\_\_\_\_
- Litigation History \_\_\_\_\_
- Bid Bond \_\_\_\_\_
- References \_\_\_\_\_
- Acknowledgment of Addenda \_\_\_\_\_

2. Submitted one (1) original and three (3) copies:

- Company Information \_\_\_\_\_
- Relevant Experience and Qualifications \_\_\_\_\_
  - Attachment F – Contractor’s Qualifications Form \_\_\_\_\_
- Methodology \_\_\_\_\_
- Quality & Safety Program \_\_\_\_\_

3. Submitted one (1) Complete Copy of Proposal on CD or USB Flash Drive \_\_\_\_\_