



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

REQUEST FOR PROPOSALS
HVAC and Mechanical Trade Services
RFP #303-7-00915

Dated: March 30, 2017

Proposal Due Date / Opening: May 4, 2017

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REQUEST FOR PROPOSAL HVAC and Mechanical Trade 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 Proposal for the provision of HVAC and mechanical trade services for various facilities owned by the Texas Facilities Commission located in Austin, Texas. It is the intention of TFC to award multiple contracts from this solicitation. If awarded, services will be on an as-needed basis. There is no guarantee of assigned or volume of work. The total amount during the initial contract term for work awarded under these contracts is estimated at \$2,000,000.
- 2) **CONTRACT TERM:** This initial service period shall begin on September 1, 2017 and shall expire on August 31, 2019. 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 Proposal:

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 Respondents 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 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 ESBD.

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

EVENT	DATE
Issue RFP	March 30, 2017
Mandatory Pre-Proposal Conferences (Respondents are required to attend only one of the scheduled meetings)	04/12/2017, 10:00 AM OR 04/17/2017, 2:00 PM
Deadline for Submission of Questions	04/21/2017
Deadline for Submission of Proposals/RFP Opening	05/04/2017
Interviews of Shortlisted Contractors	05/23/2017
Anticipated Commission Award Date	06/21/2017, 10:00 AM
Contract Start Date	09/01/2017

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

i) The Pre-Proposal Conferences are scheduled for:

Wednesday, April 12, 2017, 10:00 AM

And

Monday, April 17, 2017, 2:00 PM

The location of the Pre-Proposal conferences is:

William B. Travis Building
Conference Room 1-100
1701 N. Congress Ave.
Austin, TX 78701

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.

iii) Free parking is available on the top level of State Garage B, 1511 San Jacinto, Austin, TX with the use of the Attachment H – Parking Permit. Print out the applicable Attachment H – Parking Permit and place on vehicle dashboard during pre-proposal conference.

Parking Map: 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 C – HUB Subcontracting Plan;

(2) Attachment D – Execution of Proposal;

(3) Attachment E – Compensation and Fees;

(4) Addenda Acknowledgement; and

(5) Litigation History.

- ii) Along with 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 or USB flash memory drive containing a complete copy of the Respondent's proposal. 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 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 proposal, 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 proposals and parts of proposals 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 proposals and parts of proposals 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) Respondent shall complete and submit the 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) Demonstrate that 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) Provide the names and résumés of individual(s) that will serve as a Supervisor for crew sizes of five (5) or more;
 - (7) Provide the names and résumés of the three journeyman A/C technicians that will be assigned to provide services for this contract;
 - (8) Provide the address of the servicing branch or office that will service this contract on the Attachment F – Contractor's Qualifications Form. If the office is not in the Austin Metropolitan Area, explain how responsive service will be provided.
 - (9) **Specific relevant experience:**
 - (a) Demonstrate experience servicing commercial and industrial HVAC equipment, which shall include:
 - (i) AHU's;
 - (ii) Compressors;
 - (iii) CRAC Units; and
 - (iv) Centrifugal and Inline Pumps.
 - (10) **The following minimum requirements are required of respondents:**
 - (a) Out of state respondents 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) Respondents shall be registered with the Texas Department of Licensing and Registration as an A/C Contractor. License number shall be provided on the Attachment F – Contractor's Qualification Form.
 - (c) Respondent shall have a minimum of one (1) Technician with a current Class A Air Conditioning and Refrigeration License with an environmental A/C endorsement and commercial refrigeration and process cooling or heating endorsement issued by the Texas Department of Licensing and Regulation. Provide the name and license number on the Attachment F – Contractor's Qualification Form.
 - (d) Respondent shall have a minimum of three (3) A/C Technicians on staff certified and licensed with the Texas Department of Licensing and Regulation. Provide the names and license numbers of registered A/C Technicians on the Attachment F – Contractor's Qualification Form.
- 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) Explain how service calls are routed and prioritized;
 - (2) Explain how the two response time requirements will be met for emergency service calls as stated in the Services Contract;
 - (3) Describe your process to ensure best value for the State of Texas with the use of subcontractors;
 - (4) Describe your relationships with subcontractors to have jobs completed quickly and efficiently;
 - (5) Describe processes and techniques used to understand the services and identify unknowns to be provided for each Delivery Release prior to providing a quote;
 - (6) Describe your troubleshooting processes;
 - (7) Describe any other contracts that will “share” technicians and explain how responsive service will be maintained for TFC; and
 - (8) Describe how an emergency service call will be handled to provide emergency cooling for a Data Center.
- iv) **QUALITY & SAFETY PROGRAM: <5 pts>**
- (1) **Quality Assurance / Quality Control:**
 - (a) 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.
 - (b) Provide process flow charts on how Respondent maintains and achieves high quality services. The Respondent shall describe its policy regarding establishing quality control processes similar to ISO 9000 and other in-place controls for adherence to budget, quality, safety and schedule.
 - (c) Describe Respondent’s standard material and labor warranty for services performed under this contract.
 - (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) **COMPENSATION AND FEES: <50 pts>** Include pricing on the Attachment E – 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) **EXECUTION OF PROPOSAL:** The Attachment D – 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) **ADDENDA ACKNOWLEDGEMENT:** Receipt of all addenda to this RFP shall be acknowledged by returning a signed copy of the signature page of each addendum with the response. Any amendment to this procurement solicitation will be posted as an addendum on the Electronic State Business Daily (ESBD). It is the responsibility of interested parties to periodically check the ESBD for updates to the solicitation prior to submitting proposals. 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.

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) **Attachment C, HUB Subcontracting Plan (HSP):** 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, HSP 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 (HSP) is required as a part of the Respondent's Proposal. The Respondent shall develop and administer an HSP as a part of the Respondent's Proposals.

- (1) As mandated by 34 TAC § 20.285 Respondents must submit an Attachment C, HSP that identifies all subcontracting items and complies with good faith effort requirements of the Attachment A, HSP, and in accordance with the Comptroller of Public Accounts HUB rules 34 TAC §20.285 (d)(1)(D)(iii).
- (2) Pursuant to TGC § 2161.252(B), the Texas Facilities Commission shall reject any response that does not include a fully completed HSP. An incomplete HSP is considered a material failure to comply with the solicitation requirements.
- (3) The HSP shall become a provision of the contract between the awarded Respondent and TFC. The awarded Respondent can only change the HSP 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 HSP; 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 HSP 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://comptroller.texas.gov/purchasing/nigp/>

Class-Item	Description
031-XX	Air Conditioning, Heating, and Ventilating Equipment, Parts, and Accessories

110-XX	Belts and Belting: Automotive and Industrial
570-54	Sheet Metal, Fabricated, Custom Made Sheet Metal Items
691-39	Drives, Variable Speed
691-73	Sheaves and Belt Sprockets
720-XX	Pumping Equipment and Supplies

(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

6) **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.

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 should be placed in a separate envelope or package and correctly identified with the RFP number and proposal 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.

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 #303-7-00915 Central Services Building P.O. Box 13047 Austin, TX 78711-3047	TFC – Bid Services ATTN: Rico Gamino RFP #303-7-00915 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 #303-7-00915 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. Only the names of the respondents will be read aloud.
- 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.
- 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:

<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>	<u>P/F</u>
	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.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;
 - 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.

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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)

ATTACHMENT B
CRIMINAL BACKGROUND CHECKS AND APPLICATION GUIDELINES

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

(posted as 'Package 3' on the ESBD)

ATTACHMENT C
HUB SUBCONTRACTING PLAN

For electronic completion (RECOMMENDED) click here:

<https://comptroller.texas.gov/purchasing/vendor/hub/forms.php>

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

(posted as 'Package 4' on the ESBD)

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ATTACHMENT D
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.

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 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. 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 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.

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.

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.

Questions concerning the Form 1295 may be directed to TFC Legal Services, Martin V. Blair; Martin.blair@tfc.state.tx.us

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: _____

(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.: _____

Federal EIN 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 E
COMPENSATION AND FEES

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

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Respondent Name: _____

COMPENSATION AND FEES

<u>Item</u>	<u>Labor</u>	Hourly Rate <u>Normal Hours*</u>	Hourly Rate <u>Overtime Hours**</u>
1	Supervisor	\$ _____	\$ _____
2	Licensed Class A Journeyman HVAC Technician	\$ _____	\$ _____
3	Apprentice HVAC Technician	\$ _____	\$ _____
4	Journeyman Sheet Metal Worker	\$ _____	\$ _____
5	Apprentice Sheet Metal Worker	\$ _____	\$ _____
6	Mechanical Contractor or Pipe Fitter	\$ _____	\$ _____
7	Mechanical Contractor Helper	\$ _____	\$ _____

Item **Materials**

8 Material Markup: Contractor shall invoice at cost plus _____ percent markup.
Not-to-Exceed 20%. Markups which exceed 20% will not be considered.

Materials purchased at local retail outlets by Contractor field staff. Contractor shall invoice at cost (sales receipt/invoiced price).

Item **Subcontracting**

9 Subcontractor Markup: Contractor shall invoice at cost plus _____ percent markup (all labor and materials included).
Not to Exceed 10%. Markups which exceed 10% will not be considered.

Bonds

If Required, Payment and Performance Bonds: Contractor shall invoice at **cost** (sales receipt/invoiced price).

* **Normal Hours** within the hours of 8:00 AM – 5:00 PM, Monday through Friday

** **Overtime Hours** is defined as any hours that fall outside of Normal Hours.

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ATTACHMENT F
CONTRACTOR’S QUALIFICATIONS FORM

Company Name:		
A/C Contractor License Number:		
Number of Years in Business:		
If formerly operating under different company name(s) in the past, list names and time periods below:		
Previous Company Names:		
SERVICING OFFICE OR BRANCH INFORMATION IF AWARDED		
Physical Office Address:		
Full-time Service Technicians:		
Part-Time Service Technicians:		
Total Number of Employees:		
Geographic Service Area:		
PROPOSED STAFF TO SERVICE CONTRACT IF AWARDED		
Supervisors		
Name	License/Certification Type	TDLR Number
Journeyman Technicians to be assigned to contact if awarded		
Name	License/Certification Type	TDLR Number
Include résumés of proposed staff in the relevant experience and qualifications section of your proposal. Failure to provide information requested may be grounds for disqualification.		

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ATTACHMENT G
RFP CHECKLIST

Checklist for RFP 303-7-00915
Opening Date: May 4, 2017 @ 3:00 P.M. CT

Respondent Name and Address:

_____	Contact: _____
_____	VID #: _____
_____	Office Phone: _____
_____	Mobile Phone: _____
_____	Email: _____

Attended PPC: _____

1. Submitted one (1) original:
 - Attachment C – HUB Subcontracting Plan _____
 - Attachment D – Execution of Proposal _____
 - Attachment E – Compensation and Fees _____
 - Litigation History _____
 - Acknowledgment of Addenda _____
2. Submitted 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 or USB Flash Drive _____

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ATTACHMENT H
PARKING PERMIT

Parking Permits for free parking on State Parking Garage B during pre-proposal conferences.

Print out appropriate permit that corresponds to meeting you plan to attend and place on dashboard after parking.

(posted as 'Package 5' on the ESBD)

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