



TEXAS FACILITIES COMMISSION
P. O. Box 13047
Austin, Texas 78711-3047

REQUEST FOR QUALIFICATIONS
For
A/E Professional Services for
1801 Congress Ave. Building
Capitol Complex Project

RFQ #303-7-01647

PROJECT #17-016-8002

(Revised per Addendum #2)
Posting Date: 7/26/2017

Submittal Deadline / Opening Date: 8/3/2017 at 3:00 PM

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**TEXAS FACILITIES COMMISSION
REQUEST FOR QUALIFICATIONS #303-7-01647
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Capitol Complex Project**

**SECTION I
GENERAL**

1. **SCOPE:** In accordance with the provisions of Texas Government Code, Chapter 2254, Subchapter A, Professional Services, and Rules and Procedures adopted by the Texas Facilities Commission (TFC), TFC is requesting submittal of qualifications to provide prime professional architectural/engineering (A/E) services for Project #17-016-8002, a new state office building at 1801 Congress Avenue, Austin, TX.
2. **CONTRACT TERM:** It is the intention of TFC to award a contract for full prime professional architectural/engineering (A/E) services for the term of the Project. Services undertaken pursuant to this RFQ will be required to commence within ten (10) calendar days of delivery of a Notice to Proceed. The Project associated with the services requested in this solicitation is anticipated to be one thousand six hundred twenty-five (1,625) calendar days.

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 A/E Services Contract shall apply.

3. **DEFINITIONS:**

Addendum: A modification of the specifications issued by TFC.

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

Construction Manager Agent: (CMA): Balfour Beatty Construction LLC, the service provider engaged hereunder as the TFC's fiduciary agent to assist the TFC with management and coordination of the overall design and construction program for the Capitol Complex Projects.

Good Faith Effort: Effort required by vendors when completing the Attachment A, 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: http://esbd.cpa.state.tx.us/hubmenpro/menpro_pairs.cfm

HUB Subcontracting Plan (HSP): The Historically Underutilized Business (HUB) Subcontracting Plan (HSP) required by Chapter 2161 of the Texas Government Code (TGC) and by Title 34, Chapter 20, Subchapter B, §20.10- §20.28 of the Texas Administrative Code (TAC). Historically Underutilized Business (HUB) – A business who certified with the Comptroller of Public Accounts by meeting the following requirements: 51% owned by an Asian Pacific American, Black American, Hispanic American, Native American, American woman, and/or United States Veteran with a minimum 20% Disability rating; is an entity with its principal place of business in Texas; and has an owner residing in Texas with a proportionate interest that actively participates in the control, operations and management of the entity's affairs.

Master Architect or Master A/E: Page Southerland Page, the service provider TFC has engaged pursuant to Texas Government Code §2254 as the TFC's agent for oversight, coordination and management of the overall design of the Capitol Complex Projects by each of the Architect/Engineers for the Projects.

Owner: The Texas Facilities Commission.

Project Manager: The individual designated by the Owner authorized to represent the Owner during the performance of the contract.

Site Services Engineer (SSE): means Cobb, Fendley & Associates, Inc., the service provider TFC has engaged to provide the site environmental and engineering services for the Project.

SWPPP: Storm Water Pollution Prevention Plans.

SECTION II PROJECT DESCRIPTION

1. Construction of a new state office building with five (5) levels of underground parking, and eight (8) levels of above grade parking on the east side. The building is approximately six hundred three thousand (603,000) square feet, and is fourteen (14) floors above grade. The building includes a shell space for a cultural venue; fit up and finish out of this space shall be covered via a separate solicitation. The successful Respondent will be the Architect/Engineer of Record, and will receive bridging documents from the Master Architect at a schematic design level.
2. **Approximate cost of construction for the aforementioned list of projects is estimated to be one hundred seventy million three hundred fifty thousand dollars (\$170,350,000).**

See Attachment E for additional information

SECTION III SCOPE OF SERVICES

1. Architectural and Engineering scope of services shall include, but not be limited to, the following:
 - 1.1. Incorporating the bridging documents provided by the Master Architect into design development and construction documents;
 - 1.2. Integration into the Project Management Plan developed by the Construction Manager Agent;
 - 1.3. Detailed on-site investigations, and review of existing documents, including site plans, utility plans, surveys, geotechnical reports, and existing adjacent structures;
 - 1.4. A list of necessary testing and inspections to be provided to Owner including, but not limited to, Commissioning, Environmental, and Construction Materials testing;
 - 1.5. Assistance to Construction Manager-at-Risk and Construction Manager Agent to prepare order-of-magnitude cost estimates, as recommended by the Master Architect;
 - 1.6. Coordination with the Site Services Engineer to identify additional surveys required to complete the design;
 - 1.7. Coordination with the SSE to identify additional subsurface utility engineering (SUE) required to complete the design;
 - 1.8. Review of the concept level 1801 Congress Building plans and confirmation of the design intent;

- 1.9. Detailed design and documentation of construction plans and specifications, including documents required for SWPPP;
 - 1.10. Assist Construction Manager-at-Risk during subcontractor solicitation for development of Guaranteed Maximum Price;
 - 1.11. Coordinate with the Construction Manager-at-Risk and the City of Austin to support any necessary permitting processes;
 - 1.12. Construction Administration;
 - 1.13. Warranty management; and
 - 1.14. Project closeout.
2. A/E services shall be offered with the understanding of full compliance with non-discrimination requirements of the State of Texas by the A/E.

**SECTION IV
SUBMITTAL INFORMATION**

1. **SCHEDULE OF EVENTS:** TFC reserves the right to change the dates shown below.

EVENT	DATE
Issue RFQ	06/9/2017
Mandatory Pre-Submittal Conference (OR)	07/05/2017 Wednesday @ 10:00 AM
Mandatory Pre-Submittal Conference	07/14/2017 Friday @ 10:00 AM
Deadline for Submission of Questions	07/21/2017
Deadline for Submission of Qualifications & HSP	08/03/2017 Thursday @ 3:00 PM
Notification to Interview	08/10/2017
 <u>If Interviews are required by TFC</u> Interviews of short listed firms	 08/22/2017 and 08/23/2017
Award by Commission	10/18/2017
Execute Contract	11/17/2017

Per Texas Government Code Chapter 2166.203, The Texas Facilities Commission is using the RFQ 'Issue Date' as noted in the Schedule of Events above as the official thirty (30) day notification requirement for an interview with a design professional firm.

2. **MANDATORY PRE-SUBMITTAL CONFERENCE:** The mandatory pre-submittal conferences are scheduled for **Wednesday 7/5/2017 @ 10:00 AM, and Friday 7/14/2017 @ 10:00 AM. The location for both pre-submittal conferences is Auditorium 1-111 in the William B. Travis Building, 1701 North Congress Ave., Austin. Respondents must have an employee of their firm sign-in and attend at least one (1) of the two (2) scheduled pre-submittal conferences.** TFC shall reject submittals submitted by firms that did not attend one of the mandatory pre-submittal conferences.

For the pre-submittal conferences, there is metered parking (coins) on the street, paid parking (\$8.00) at the Bob Bullock Museum Parking Garage, or free parking is available on the top level of State Parking Garage B, 1511 San Jacinto, Austin. If the top level of the State Parking Garage B is full, parking on the next level down is acceptable. **Print out a Parking Permit for State Parking Garage B attached to the end of this RFQ to place on your dashboard.**

<https://www.thestoryoftexas.com/upload/images/Bullock-Museum-Parking.pdf>

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

3. **SUBMISSION REQUIREMENTS:**

3.1. General: Respondents shall submit one (1) original and **five (5) copies** of the submittal. Provide one (1) separate copy of the Attachment A, HUB Subcontracting Plan. Additionally, Respondent shall provide a formatted CD, or USB flash memory drive, containing a complete copy of the response to this RFQ. The format shall be Adobe Acrobat version 9.0 or higher. Pages should be numbered and contain an organized, paginated table of contents corresponding to the section and pages of the submittal. Respondents to this RFQ are responsible for all costs of submittal preparation and delivery.

3.2. Content: Below is a summary of required information. TFC reserves the right, in its sole judgment and discretion, to waive minor technicalities and errors in the best interest of the State. The Attachment A, HUB Subcontracting Plan, the Attachment B, Execution of Submittal, and the Attachment C A/E Questionnaire Form shall be returned; failure to do so shall result in disqualification.

3.2.1. **Company Information:** Including, but not limited to the following:

- 3.2.1.1. Company description;
- 3.2.1.2. Ownership information;
- 3.2.1.3. Physical and Mailing address;
- 3.2.1.4. Other company locations/offices;
- 3.2.1.5. Primary contact;
- 3.2.1.6. Office and mobile telephone number and email of primary contact; and
- 3.2.1.7. 11-Digit State of Texas Taxpayer Vendor Identification Number.

3.2.2. **Relevant Experience & Qualifications:** <60 pts.>

3.2.2.1. **Relevant Experience:**

3.2.2.1.1. Complete and submit the Attachment C, A/E Questionnaire Form. The form can be obtained electronically at the TFC website: <http://www.tfc.state.tx.us/divisions/facilities/prog/construct/formsindex/> Document #20, Index of Forms.

3.2.2.1.2. Particularly indicate your firm's experience with the following:

- 3.2.2.1.2.1. Design of high rise office buildings;
- 3.2.2.1.2.2. Design of high rise office buildings in restricted urban sites;
- 3.2.2.1.2.3. Projects of significant impact to transportation infrastructure;
- 3.2.2.1.2.4. Projects of significant impact to utility infrastructure;
- 3.2.2.1.2.5. Projects involving highly visible public spaces;
- 3.2.2.1.2.6. Working with bridging documents received from other design professionals; and
- 3.2.2.1.2.7. Working with Master Architects, Construction Manager Agents, and Construction Managers-at-Risk.

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- 3.2.2.1.3. TFC will also consider the relevant experience and qualifications of major subconsultants/subcontractors, those proposed to perform approximately 15% or more of the project, listed on the Attachment A, HUB Subcontracting Plan. An Attachment C, A/E Questionnaire Form may be included in the submittal for each major subconsultants/subcontractors, and any additional company information provided as appropriate.
- 3.2.2.1.4. In addition to the five most relevant projects detailed in the Attachment C, A/E Questionnaire Form, provide other pertinent project information, including current ongoing projects of comparable experience to the Project solicited in this RFQ.
- 3.2.2.1.5. Provide the names of management and key employees proposed for the project team, and each person's responsibilities. Include the background and experience of these employees. Detail previous experience of team members working together on projects, and the firm's previous experience working with major subconsultants/subcontractors proposed for this project.
- 3.2.2.1.6. Provide an Organizational Chart for the project team.
- 3.2.2.1.7. Company Location: Identify the location of your company's office that will directly support the Project. Explain how responsive service will be provided.

3.2.2.2. **Minimum Qualifications:**

- 3.2.2.2.1. Out of State Respondents doing business in Texas shall have a Certificate of Authority to do business in Texas. A copy of the certificate shall be submitted with the submittal.
- 3.2.2.2.2. In accordance with Texas Occupations Code Title 6, Subchapter I § 1001.405. Practice by Business Entity; Registration, all Engineering firms submitting a response as the prime to this Request for Qualifications must maintain current "business entity registration" with the Texas Board of Professional Engineers concurrent with their submission of said response and, if selected, through the term of the contract. Provide a copy of your TBPE Certificate of Registration with your response.
- 3.2.2.2.3. In accordance with Texas Administrative Code Title 22, Part 1, Chapter 1, Subchapter G, Rule §1.124, Business Registration, all Architectural firms submitting a response as the prime to this Request for Qualifications must maintain current "business entity registration" with the Texas Board of Architectural Examiners concurrent with their submission of said response and, if selected, through the term of the contract. Provide a copy of your TBAE Certificate of Registration with your response.
- 3.2.2.2.4. Negative responses and experiences from state client agencies, regulatory agencies, and TFC, which are familiar with firm's performance, depending on problems encountered, may be grounds for disqualification.

3.2.3. **Methodology & Budget/Schedule Compliance: <30 pts.>**

- 3.2.3.1. **Proposed Methodology:** An outline of your firm's process to implement the requirements of the RFQ Scope of Work into a finished project. Specifically, how will your firm approach and develop the various design challenges of this building into one achievable, compliant and coherent project.

This shall include, but not be limited to, the following:

- 3.2.3.1.1. Processes and techniques used to understand the Statement of Work;
- 3.2.3.1.2. Process for reviewing Conceptual Plans from the Master A/E, and providing proof of concept;
- 3.2.3.1.3. Process for incorporating bridging documents from the Master A/E into A/E's design development package;

- 3.2.3.1.4. Problem solving;
 - 3.2.3.1.5. Value engineering;
 - 3.2.3.1.6. Maintaining budgets;
 - 3.2.3.1.7. Maintaining schedules;
 - 3.2.3.1.8. Staff sizing and roles;
 - 3.2.3.1.9. Company workload in proportion to the project outlined in the Statement of Work; and
 - 3.2.3.1.10. Coordination of work with a Master A/E, CMA, and CMR and/or consultants, as well as other A/Es and CMRs working on concurrent packages within the Capitol Complex Project.
- 3.2.3.2. **Budget/Schedule Compliance:** Budget and Schedule compliance should be demonstrated using the Attachment C, A/E Questionnaire Form:
- 3.2.3.2.1. For the five (5) **most relevant projects completed within the last five years,** Respondent shall demonstrate experience in meeting completion date schedules by providing the original duration and final duration on these five projects. Provide appropriate explanation on the causation when a variance of 5% or more is experienced.
 - 3.2.3.2.2. For the same five (5) **most relevant projects completed within the last five years** as above, Respondent shall demonstrate experience in maintaining budgets by providing the awarded budget and the final completion budget. Provide appropriate explanation on the causation when a variance of 5% or more is experienced.
- 3.2.4. **Quality Assurance / Quality Control:** <10 pts.>
- 3.2.4.1. Provide a description of your firm's quality assurance program. Provide the name and job title of the person in your organization who oversees your quality assurance program. TFC reserves the right to require a copy of your Quality Control Manual and Quality Assurance Processes, which, if contracted, will become a contract document.
 - 3.2.4.2. Respondent shall describe its quality requirements and means of measurement. Provide a process flow chart on how quality is maintained and achieved.
 - 3.2.4.3. 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.
- 3.2.5. **Litigation:** <Pass/Fail>
- 3.2.5.1. Provide details of all litigation history, including but not limited to administrative claims and proceedings and arbitration within the past five (5) years.
 - 3.2.5.2. Respondents involved in litigation with owners or Architect/Engineer firms may be disqualified.
- 3.2.6. **Attachment B, Execution of Submittal:** Failure to sign and return the Execution of Submittal shall result in rejection of the response.
- 3.2.7. **Addenda Acknowledgment:** Receipt of all addenda to this RFQ should be acknowledged by returning a signed copy of each addendum signature page with the response. Any amendment to this procurement solicitation will be posted as an addendum on the Electronic State Business Daily. It is the responsibility of interested parties to periodically check the ESDB for updates to the solicitation prior to solicitation submittal. Respondent's failure to periodically check the Electronic State Business Daily (ESBD) will in no way release the

selected Respondent from “addenda or additional information” resulting in additional costs to meet the requirements of the RFQ.

3.2.8. **Attachment A, 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. 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 a HSP as a part of the Respondent's Proposals.

3.2.8.1. As mandated by 34 TAC § 20.285, Respondents must submit an **Attachment A, 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).

3.2.8.2. 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.

3.2.8.3. 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.

3.2.8.4. 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).

3.2.8.5. 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: <http://www.window.state.tx.us/procurement/tools/comm-book/>

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<u>Class/Item</u>	<u>Description</u>
906-00	Architectural Services, Professional
906-02	Acoustics, Noise Abatement, Architectural Services
906-07	Architect Services, Professional, (Not Otherwise Classified)
906-08	Automation; Controls; Instrumentation, Architectural Services
906-10	Buildings, Architectural Design Services
906-19	Concrete, Architectural Services
906-28	Energy Conservation; New Energy Sources, Solar, etc., Architectural Services
906-52	Interior Design and Space Planning
906-54	Irrigation; Drainage; Flood Control, Architectural Services
906-56	Landscape, Architectural Services
906-58	Lighting (Interior, Exterior) - Architectural Services
906-74	Recycling Systems, Architectural Services
906-78	Security Systems; Intruder and Smoke Detection, Architectural Services
918-02	Audio and Visual (A/V) Consulting
918-25	Compliance Consulting, American Disabilities Act (ADA)
918-39	Elevator, Escalator, Moving Walks Consulting
918-41	Energy Conservation Consulting
918-43	Environmental Consulting
918-52	Food Service Consulting
918-84	Parking Consulting
918-91	Roofing Consulting
918-93	Security and Safety Consulting
925-00	Engineering Services, Professional
925-07	Air Conditioning ,Heating and Ventilating Engineering
925-19	Concrete Engineering
925-22	Control Systems Engineering
925-31	Electrical Engineering, Including Cogeneration Design Services
925-34	Energy Management Engineering
925-36	Engineering Services
925-42	Foundation Engineering
925-43	Engineering for Gas Systems, Propane, Natural, etc.
925-44	General Construction: Management, Scheduling, Cost Estimation Engineering
925-55	Inspecting, General Engineering
925-56	Inspecting, Structural/Engineering
925-67	Mechanical Engineering
925-81	Roofing Engineering
925-83	Sanitary Engineering
925-84	Security Systems; Intruder and Smoke Detection Engineering
925-88	Structural Engineering
966-18	Copying Services (Reproduction)

If further assistance is needed in preparing the HUB Subcontracting Plan, potential Respondents may contact the TFC HUB Coordinator Yolanda Strey by email at HUB@tfc.state.tx.us

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4. **INTERVIEW SUBMISSION REQUIREMENTS:**

4.1. General: Respondents shall submit the following at the time of interview:

- 4.1.1. Seven (7) hard copies of the interview handout;
- 4.1.2. One (1) electronic copy of the interview presentation;
- 4.1.3. One (1) hard copy of the Attachment F, Statement of Compliance with TFC Insurance Requirements; and
- 4.1.4. One (1) hard copy and one (1) electronic copy of Contract Exceptions.

4.2. Submission of Insurance Requirements:

4.2.1. Each Respondent by submission of its qualifications, represents that a review of the TFC insurance requirements included in the Attachment D, A/E Services Contract Template to this RFQ has been completed with Respondent's insurance brokers, and that compliance to these requirements are either currently sufficient, or attainable.

4.2.2. Each Respondent shortlisted for interviews shall complete and submit the Attachment F, Statement of Compliance with TFC Insurance Requirements. A Respondent who fails to: (i) provide all policy information requested by Attachment F; or (ii) describe any absence of coverage required by the insurance requirements included in Attachment F to the RFQ, may at TFC's sole discretion, be disqualified from further consideration. Respondent shall check each applicable box, and populate each applicable blank in Attachment F. By submitting its information on Attachment F, Respondent represents the information therein is complete, and that its insurance policies comply with Attachment D, without deficiency, except as otherwise explained in accordance with the instructions in Attachment F.

4.2.3. The Respondent selected for award shall, electronically submit upon receiving Owner's written request, true and complete copies of the Respondent's policies of insurance in electronic form by emailing true and complete copies of such policies to TFC's outside counsel, Richard L. Reed and Matthew R. Talley of Coats|Rose, P.C., at rreed@coatsrose.com and mtalley@coatsrose.com. The true and complete copies of all applicable insurance policies shall be submitted in a timely manner, as no contract will be executed without the receipt, review, negotiation, and TFC acceptance of the submitted policies. The submitted policies of insurance shall be restricted to review by TFC's outside legal counsel, Coats|Rose, who will conduct the review solely for the purpose of providing TFC legal advice as to whether such policies meet TFC's insurance requirements included in Attachment D. If the Respondent fails to meet the insurance requirements in a timely manner, the Respondent may in TFC's sole discretion be disqualified from further consideration.

4.3. Contract Exceptions: Exceptions to the form of the Contract may result in TFC's determination that it will be unable to negotiate a satisfactory Contract with a Respondent. Most contract clauses are non-negotiable. Respondents are expected to review the Attachment D, A/E Services Contract Template with Respondent's legal, insurance and other business advisors, and should any contract clauses be deemed unacceptable, Respondent shall submit identified exceptions at the time of the interview. Respondent shall submit to TFC any exceptions to the Contract (including the specifications, terms, conditions therein or exhibits thereto) in a Microsoft Word tracked-change (red-lined) format in both hard copy and electronic format (CD or USB flash memory drive). TFC will only negotiate exceptions that have been specifically identified in accordance with this requirement. An exception will not be deemed accepted by TFC unless it is first accepted in writing by TFC and incorporated into the fully executed Contract.

5. **Inquiries:**

- 5.1. All non-HUB inquiries shall be submitted in writing to John Goodrich by email to: john.goodrich@tfc.state.tx.us
- 5.2. 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.

- 5.3. All inquiries will result in written responses with copies posted to the Electronic State Business Daily at: <http://esbd.cpa.state.tx.us/> If Respondents do not have Internet access, copies may be obtained through the point of contact listed above.
- 5.4. Upon issuance of this RFQ, beside written inquiries as described above, other employees and representatives of TFC and the using agency will not answer questions or otherwise discuss the contents of the RFQ with any potential Respondent. This restriction does not preclude discussions with TFC for the purpose of conducting business unrelated to this submittal. Failure to observe this restriction may be grounds for disqualification.

6. **Submissions:**

- 6.1. Submittals should be placed in a separate envelope/package and correctly identified with RFQ number, Purchaser's name, submittal deadline/opening date and time. It is the Respondent's responsibility to appropriately mark and deliver this to TFC by the specified date.
- 6.2. TFC will not consider any submittal that bears a copyright. As a state agency, TFC will strictly adhere to the requirements of Chapter 552 of the Texas Government Code (the "Texas Public Information Act") regarding the disclosure of public information. As a result, by participating in this solicitation process Respondent acknowledges that all information, documentation, and other materials submitted in response to this solicitation may be subject to public disclosure under the Texas Public Information Act. TFC does not have authority to agree that any information submitted will not be subject to disclosure. Disclosure is governed by the Texas Public Information Act. Respondents are advised to consult with their legal counsel concerning disclosure issues resulting from this process and to take precautions to safeguard trade secrets and proprietary or otherwise confidential information. TFC assumes no obligation or responsibility relating to the disclosure or nondisclosure of information submitted by Respondents. If it is necessary for Respondent to include trade secrets or proprietary or otherwise confidential information in its submittal, Respondent must clearly mark in bold red letters the term "**CONFIDENTIAL**" using at least **14 point font**, on that specific part or page of the submittal which Respondent believes to be confidential. All submittals and parts of submittals that are not marked confidential will be automatically considered to be public information. Should trade secrets or proprietary or otherwise confidential information be included in the submitted CD, as referenced above. 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.

7. **Delivery of Submittals:** Submittals shall be delivered to TFC by one of the following methods:

U. S. Postal Service	Overnight/Express Mail	Hand Deliver
TFC – Bid Services Attn: John Goodrich RFQ #303-7-01647 Central Services Building P.O. Box 13047 Austin, TX 78711-3047	TFC – Bid Services ATTN: John Goodrich RFQ #303-7-01647 Central Services Building, Rm. 176 1711 San Jacinto Blvd. Austin, TX 78701 Hours - 8:00 AM to 5:00 PM	TFC – Bid Services ATTN: John Goodrich RFQ #303-7-01647 Central Services Building 4 th Floor Receptionist 1711 San Jacinto Blvd. Austin, TX 78701 Hours – 8:00 AM to 5:00 PM

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8. **Receipt of Submittals:**

- 8.1. Submittals shall be received at the Central Services Building, 4th Floor Receptionist, 1711 San Jacinto Blvd., Austin, Texas and time stamped at TFC by 3:00 PM Central Time by the date specified in the Schedule of Events. 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.
- 8.2. Submittals will be received until the date and time established for receipt, then opened. Only the names of the Respondents will be made public. Tabulations will not be divulged until after contract award.
- 8.3. Telephone, facsimiles or emails are not acceptable when in response to this RFQ.
- 8.4. All submittals shall become the property of the State of Texas after the deadline/opening date.
- 8.5. Submittal shall constitute an offer for a period of ninety (90) days or until selection is made by TFC.

9. **EVALUATION AND AWARD:**

- 9.1. It is the intent of TFC to award a contract to the Respondent whose qualifications are considered to be 'most qualified' for the services solicited in this RFQ.
- 9.2. An evaluation committee will be established to evaluate the submittals. The committee will include employees of TFC and may include other impartial individuals who are not TFC employees. By submitting qualifications in response to this RFQ, the Respondent accepts the solicitation and evaluation process and acknowledges and accepts that scoring of the submittals may involve some subjective judgments by the evaluation committee.
- 9.3. The evaluation committee will evaluate and score each submittal based on the following criteria:

<u>Criteria</u>	<u>Weight</u>
Relevant Experience and Qualifications	60%
Methodology / Budget & Schedule Compliance	30%
Quality Assurance / Quality Control	10%
Litigation History Statement	<u>Pass/Fail</u>
	100%

- 9.4. The evaluation committee will determine if interviews/discussions are necessary. Award of a contract may be made without interviews/discussions if in the best interest of the state. The evaluation committee may determine that discussions are necessary to clarify or verify a written submittal. TFC may, at its discretion, elect to have Respondents provide oral presentations/interviews of their submittal. Scoring of the interview shall replace the initial scoring of the submittal. The following will be expected during an interview:
 - 9.4.1. One hour and fifteen minutes is allocated for the interview.
 - 9.4.2. A short presentation detailing Respondent's history and projects relevant to the current project, and confirmation of information presented in the submittal.
 - 9.4.3. Attendance by team members assigned to the project to represent themselves as to their relative experience and proposed involvement in the project. Representation by the Project Manager is essential in this interview.
 - 9.4.4. An agenda for the interview will be provided by TFC requiring an elaboration of Respondent's relevant experience and proposed methodology for the Project.
- 9.5. Giving priority in order of the ranking determined by the scores, TFC will undertake to negotiate a professional architectural/engineering agreement with the firm which is evaluated as the highest scoring firm, deemed the best value to the State. If the agreement cannot be executed, the negotiations will be formally terminated and TFC will attempt to negotiate an agreement with the next firm in order of scoring until an agreement is reached or the list is exhausted, upon which the solicitation will be cancelled and may be re-issued.

9.6. In evaluating submittals 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, the Vendor Performance Tracking System (available at http://www.window.state.tx.us/procurement/prog/Respondent_performance/). Prior work performance with TFC, and other State agencies or governmental entities which are familiar with a Respondent's performance, depending on problems encountered, may be grounds for disqualification.

9.7. Requirements Upon Award:

9.7.1. Execution of an appropriate professional services contract.

9.7.2. Submission of policies of insurance as detailed in 4.2.3.

9.7.3. 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

10. **RIGHT TO AUDIT**: Respondent understands that acceptance of funds under this contract acts as acceptance of the authority of the State Auditor's Office, TFC or any successor agency, to conduct an audit or investigation in connection with those funds. Respondent further agrees to cooperate fully with the above parties in the conduct of the audit or investigation, including providing all records requested. Respondent shall ensure that this clause concerning the authority to audit funds received indirectly by subcontractors through the Respondent and the requirement to cooperate is included in any subcontract it awards.
11. **PUBLIC DISCLOSURE**: No public disclosures or news releases pertaining to this contract shall be made without prior written approval of TFC.
12. **ORDER PRECEDENCE**: In the event of conflicts or inconsistencies between this contract and its exhibits or attachments, such conflicts or inconsistencies shall be resolved by reference to the documents in the following order of priority: Signed Contract (or Notice of Award), Amendments to the Contract (or Notice of Award), Request for Qualifications, and Respondent's Response to the Request for Qualifications.

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ATTACHMENT A
HUB Subcontracting Plan
(Posted as 'Package #2' on the ESBD)

For electronic completion of the HSP (RECOMMENDED) click here:

<http://www.window.state.tx.us/procurement/prog/hub/hub-forms/>

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ATTACHMENT B
EXECUTION OF SUBMITTAL

NOTE: FAILURE TO SIGN AND RETURN THE EXECUTION OF SUBMITTAL SHALL RESULT IN REJECTION OF THE RESPONSE.

By signature hereon, the Respondent certifies that:

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

He/she 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 the Execution of Submittal or signing it with a false statement, shall void the submitted offer or any resulting contracts.

Neither the Respondent or the firm, corporation, partnership, or institution represented by the Respondent or anyone acting for such firm, corporation, or institution has violated the antitrust laws of this State, codified in Section 15.01, et seq., Texas Business and Commerce Code, or the Federal antitrust laws, nor communicated directly or indirectly the offer made to any competitor or any other person engaged in such line of business.

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

Under Section 2155.004, Government Code, the Respondent certifies that the individual or business entity named in this submittal or contract is not ineligible to receive the specified contract and acknowledges that this contract may be terminated and payment withheld if this certification is inaccurate.

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

Respondent is in compliance with TGC, Title 6, §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 agrees that any payments due under any contract arising from this Submittal will be applied towards any debt, including but not limited to delinquent taxes and child support that is owed to the State of Texas.

System for Award Management (SAM): Prior to awarding state funds for goods and/or services rendered, the State of Texas will conduct a required search of your firm using the Federal System for Award Management (SAM). This is a Federal government maintained database that record and track organizations either known to or suspected of contributing to terrorist organizations. No state funds may be paid to an individual or firm whose name appears on this list. TFC reserves the right, in its sole discretion, to deny and/or exclude any individual or firm from an award 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. 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 represents and warrants that the individual signing this Execution of Submittal is authorized to sign this document on behalf of the Respondent and to bind the Respondent under any contract resulting from this submittal.

RESPONDENT (COMPANY): _____

SIGNATURE (INK): _____

NAME (TYPED/PRINTED) _____

TITLE: _____

DATE: _____

STREET: _____

CITY/STATE/ZIP: _____

TELEPHONE AND FACSIMILE NO.: _____

TEXAS IDENTIFICATION NUMBER (TIN)*: _____

*The Texas Identification Number is the taxpayer number assigned and used by the Texas Comptroller of Public Accounts. Enter this number in the space provided above. If this number is not known, complete the following:

Enter your Federal Employer's Identification Number _____

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ATTACHMENT C

A/E Questionnaire

The form can be obtained electronically at the TFC website: <http://www.tfc.state.tx.us/divisions/facilities/prog/construct/formsindex/>
Document #20, Index of Forms.

ATTACHMENT D

A/E Services Contract Template
(Posted as 'Package #3' on the ESBD)

2015 Uniform General Conditions (Document #6C), Supplementary General Conditions (Document #6D), and the A/E Guidelines (Document #19)

Can be obtained electronically at the TFC website:
<http://www.tfc.state.tx.us/divisions/facilities/prog/construct/formsindex/>

ATTACHMENT E

50% Concept Plan for Capitol Complex Package 4, 1801 Congress Ave. Bldg.
(Posted as 'Packages #4, #5 & #6' on the ESBD)

ATTACHMENT F

Statement of Compliance with TFC Insurance Requirements
(Posted as 'Package #7' on the ESBD)

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ATTACHMENT G
RFQ CHECKLIST

Checklist for RFQ #303-7-01647

Title: A/E Professional Services for 1801 Congress Ave. Building Capitol Complex Project

Opening Date: 8/3/2017 at 3:00 PM

Respondent Name and Address	Contact:
_____	TX Taxpayer VIN#: _____
_____	Office#: _____
_____	Mobile#: _____
_____	Email: _____

Attended Pre-Submittal Conference: _____

SUBMITTAL:

1. Submit one (1) original and **five (5) copies** of submittal _____

Submittal Content

- Company Information _____
- Relevant Experience and Qualifications _____
- Methodology _____
- Quality Assurance / Quality Control _____
- Litigation History Statement _____
- Attachment A, HUB Subcontracting Plan _____
- Attachment B, Execution of Submittal _____
- Attachment C, A/E Questionnaire Form _____
- Attachment C, A/E Questionnaire Form Major Subs _____
- Copy of TBAE or TBPE Certificate of Registration _____
- Acknowledgement of Addenda _____

2. Submit one (1) separate copy of Attachment A, HUB Subcontracting Plan _____

3. Submit one (1) PDF copy on a CD, or a USB flash memory drive: _____