**UNIVERSITY OF HOUSTON SYSTEM**

**REQUEST FOR COMPETITIVE SEALED PROPOSALS**



RFP730-18XXX

Title: XXXXXXXXXXXXXXXXXX

Issue Date: XXXX XX, 2018

In accordance with Texas Education Code § 51.783: SELECTING CONTRACTOR FOR CONSTRUCTION SERVICES THROUGH COMPETITIVE SEALED PROPOSALS, the University of Houston System will procure construction services through this Request For Proposal (RFP).



**University of Houston**

**Purchasing Department**

**5000 Gulf Freeway**

**ERP 1, Room 201**

**Houston, TX 77023**

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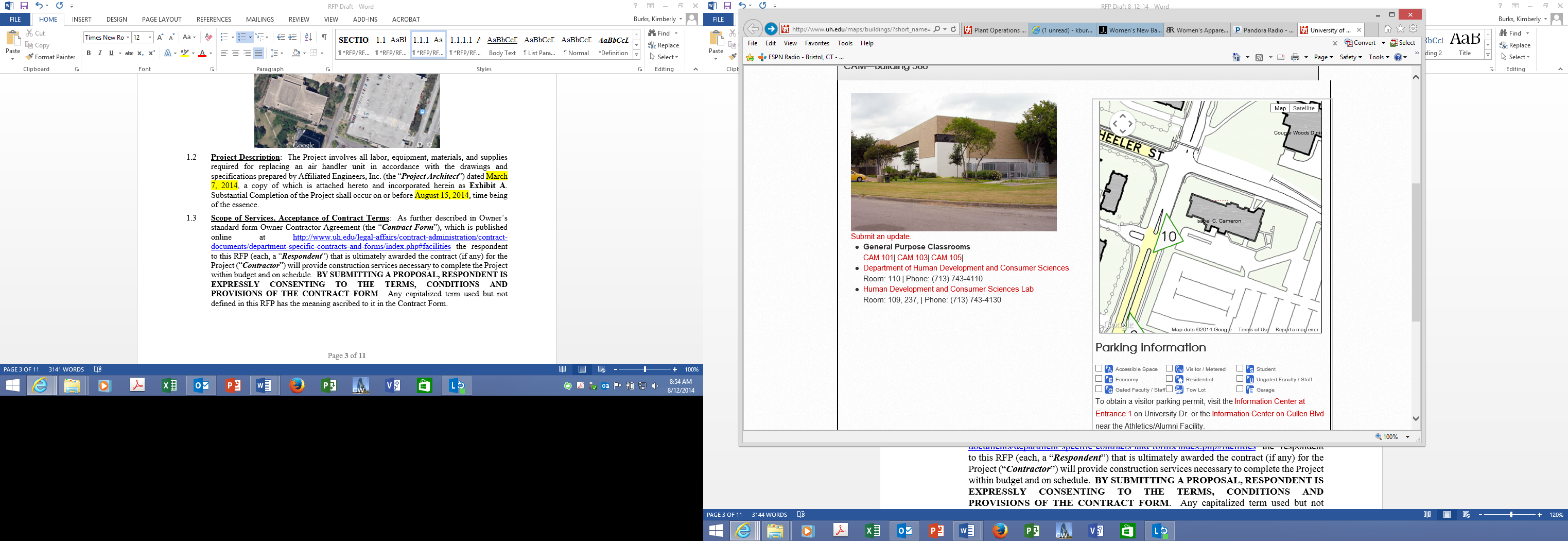
B EXECUTION OF OFFER

C COST AND DELIVERY PROPOSAL

D HUB SUBCONTRACTING PLAN (HSP)

**INCORPORATED BY REFERENCE:** Owner’s Campus Design Guidelines and Standards (including the IT Cabling Standards). The Design Guidelines and Standards may be found at <http://www.uh.edu/facilities-planning-construction/Vendor%20Resources/owners-design-criteria/design-guidelines/00_campus_design_guidelines.pdf> and are incorporated herein by reference.

1. INTRODUCTION
   1. **General**: The University of Houston System (“Owner”) is soliciting competitive sealed proposals (each, a “Proposal”) for XXXXXXXXXXXXXXX (the “***Project***”), at XXXXXXXXXX, Building No. XXX, at the campus of the University of Houston (the “***Building***”). The physical location of the Building is identified below and can be found in the campus maps at the following link: <http://www.uh.edu/maps/buildings/?short_name=CAM>



* 1. **Project Description**: The Project involves all labor, equipment, materials, and supplies required for XXXXXXXXXXXXXXXX in the Building in accordance with the drawings and specifications prepared by XXXXXXXXXXXXXX (the “***Project Architect***”) dated XXXXXXX, a copy of which is attached hereto and incorporated herein as **Exhibit A**. Substantial Completion of the Project shall occur on or before XXXXXXX XXXX, 2015, time being of the essence.
  2. **Scope of Services, Acceptance of Contract Terms**: As further described in Owner’s standard form Owner-Contractor Agreement (the “***Contract Form***”), which is published online at <http://www.uh.edu/legal-affairs/contract-administration/contract-documents/department-specific-contracts-and-forms/index.php#facilities> the respondent to this RFP (each, a “***Respondent***”) that is ultimately awarded the contract (if any) for the Project (“***Contractor***”) will provide construction services necessary to complete the Project within budget and on schedule. **BY SUBMITTING A PROPOSAL, RESPONDENT IS EXPRESSLY CONSENTING TO THE TERMS, CONDITIONS AND PROVISIONS OF THE CONTRACT FORM**. Any capitalized term used but not defined in this RFP has the meaning ascribed to it in the Contract Form.
     1. Liquidated damages, as further explained in Section 3.2 of the Contract Form, will be assessed and offset against any amounts due and owing, or that become due, to Contractor as follows:

**Late Completion Day(s) Per Diem Amount**

0-15 250.00

16-30 250.00

31+ 250.00

* 1. **Project Schedule**:

Pre-Proposal Conference XX/XX/2015 @ 10:00AM CST NON-MANDATORY

Questions Deadline XX/XX/2015 @ 2:00PM CST

Proposal Deadline XX/XX/2015 @ 2:00PM CST

Proposals Evaluated XX/XX/2015

Interviews XX/XX/2015 (if necessary)

Award XXXXXX XX, 2015

Notice to Proceed XXXX XX, 2015

Substantial Completion XX/XX/2015

Final Completion XX/XX/2015

1.5 **Access and Parking**:

1.5.1 Access to the Building for construction activities, deliveries, etc. will be via parking lot 10A off of Cullen Blvd and subject to coordination with ongoing construction and campus activities.

1.5.2 Contractor parking will be available at Energy Research Park (“***ERP***”) at Contractor’s expense. The location of ERP can be identified by visiting the following link: <http://www.uh.edu/af/universityservices/erp/>.

1. GENERAL INFORMATION AND REQUIREMENTS
   1. **Public Information**: Proposals and any other information submitted by Respondent in response to this RFP are the property of Owner. Owner considers all information, documentation and any material submitted in response to this RFP to be non-confidential and/or non-proprietary and therefore subject to public disclosure under the Texas Public Information Act (Texas Government Code § 552.001, et seq.) after a contract is executed. By submitting a Proposal, you release Owner from any liability resulting from Owner’s disclosure of such materials.
   2. **Historically Underutilized Businesses**: In accordance with the State of Texas policy of encouraging the use of Historically Underutilized Businesses (“***HUBs***”) in state procurement, the University shall make a good faith effort to utilize HUBs in contracts for construction, goods and services. Owner strives to achieve HUB program goals by contracting directly with HUBs or indirectly through HUB subcontracting opportunities. If the Owner determines that subcontracting is probable under the contract, a HUB Subcontracting Plan (“***HSP***”) must be completed by the Respondent and submitted with the Proposal in accordance with Texas Administrative Code, Title 34, Part 1, Chapter 20, Subchapter B. The HSP, if required by this solicitation, will become a provision of any contract that results from this solicitation and the Respondent will utilize the subcontractors indicated in the HSP, unless a revision to the HSP is approved by the University. The Respondent will also provide monthly Progress Assessment Reports to the University during the life of the contract to verify compliance with the HSP in the manner indicated by the University.
   3. **Communication Restrictions**: Owner designates the following person as its representative (the “Point of Contact”) in connection with this RFP:

Mr. Tim Henry

Purchasing Department

5000 Gulf Freeway

ERP 1, Room 201

Houston, TX 77023

[tshenry2@uh.edu](mailto:tshenry2@uh.edu)

Respondent shall submit by email any questions which may arise during the preparation of Proposal to the Point of Contact. Until the Contractor is identified and executes a contract for the Project on the Contract Form, all Respondents’ communications with respect to this RFP and/or the Project must be with the Point of Contact and not with any other employee, officer, Regent, agent, representative or contractor of Owner, except as expressly permitted by Section 3.4.

* 1. **Pre-Proposal Conference**: A **non-mandatory** Pre-Proposal Conference is scheduled at the Building (XXXXXXXXXXXX, Building No. XXX). Please meet at the west entry of the Building. Upon completion of the Pre-Proposal Conference, Owner will lead a tour of the Project site. Paid parking is available at the Welcome Center Garage <http://www.uh.edu/wtsc_apps/uh_maps/buildings/?short_name=WC>).
  2. **Questions and Clarifications**: All questions and requests for clarification must be submitted in writing, preferably by email, to the Point of Contact by the Questions Deadline, and must reference RFP730-16XXX. The Point of Contact will publish all questions and requests for clarification with their respective responses as an addendum, as well as any other addenda to this RFP, at the Electronic State Business Daily website, <http://esbd.cpa.state.tx.us/> under the Project.
  3. **Submission of Proposals**: Proposals must be in writing and received by the Point of Contact on or before the Proposal Deadline. The physical location of the Point of Contact can be identified here: <http://www.uh.edu/maps/buildings/?short_name=ERP1>.
     1. All conforming Proposals will be reviewed and evaluated by Owner’s selection committee. While the exact composition of the selection committee is not a matter of public information, the Chair is the Point of Contact. The selection committee may interview short-listed Respondents. Respondents will be notified of the date, time and location of interviews, should they be required.
     2. Each Respondent will be represented at its interview, if any, by its proposed project manager and superintendent who will be working directly with Owner’s Designated Representative if the contract for the Project were awarded to Respondent.
  4. **Owner’s Reservation of Rights**: Owner makes no representation of any kind that an award will be made as a result of this RFP or for the Project. Owner reserves the right to accept or reject any or all Proposals, waive any formalities or minor technical inconsistencies in Proposal, or reissue this RFP or delete any items/requirements from this RFP when deemed to be in Owner’s best interest. Selection of a Proposal, if any, will be made in strict compliance with the requirements of Texas Education Code § 51.783.
  5. **No Reimbursement of Respondents’ Costs**:Owner will not reimburse Respondent for anycosts incurred in the preparation, reproduction, or delivery of Proposal or any other material generated or submitted in connection with this RFP.
  6. **Insurance Requirements**:
     1. Required Coverage. For the duration of the agreement, for any renewal terms, and for purposes of indemnification obligations that are specified to survive termination or expiration of the agreement, Contractor shall obtain, at its sole expense and at no cost to the University, the following coverages and shall maintain such coverage in full force and effect:
        1. Commercial General Liability Insurance including operations, contractual liability, and products liability in the combined single limit of not less than one million dollars ($1,000,000) per occurrence and two million dollars ($2,000,000) in the aggregate;
        2. Professional Liability or Errors & Omission Insurance (For Professional Services only) of not less than five million dollars ($5,000,000) per occurrence for professional services i.e., Physician, Lawyer, Architect, Engineer, other “Professional” or a Consultant representing his own firm;
        3. If, during the Term, Contractor will enter University property, Contractor shall also maintain the following insurance:
           1. Workers' Compensation and Employers Liability Insurance covering all individuals who provide Services pursuant to the agreement at the request of the Contractor, at the statutory limits in effect as of the Effective Date of the Contract and as modified from time to time by the regulatory body or insurance carrier charged with administering Workers' Compensation for the State of Texas. Employer's Liability in amounts of not less than one million dollars ($1,000,000) per accident, one million dollars ($1,000,000) for disease (policy limit), and one million ($1,000,000) for disease (per person).
           2. Commercial Automobile Liability Insurance in the combined single limit of not less than one million dollars ($1,000,000) or in the event Contractor does not own automobiles, Contractor agrees to maintain coverage for Hired & Non-Owned Auto Liability, which may be satisfied by way of endorsement to the Commercial General Liability Policy or a separate Commercial Auto Liability Policy;
        4. University may require additional insurance coverages and/or limits depending on the nature and scope of the contract.
        5. Providing and maintaining insurance coverage is a material term of this solicitation. Contractor shall provide Certificates of Insurance evidencing the Insurance Requirements no later than ten (10) days prior to the start of work and replacement or renewal certificates no less than thirty (30) days prior to the expiration of any such insurance. Insurance coverages must be written by companies authorized and admitted to do business in the State of Texas and rated A-, VII or better by A.M. Best Company. Contractor shall provide the University a full and complete copy of any insurance policy promptly upon request by the University, and without charge to the University.
     2. Insurance Endorsements. The University shall be listed as an Additional Insured on the Commercial Liability and Automobile Liability policies. A waiver of subrogation must be granted in favor of the University for all policies. Contractor’s insurance coverage must be primary and non-contributory for all policies. A 30 day notice of cancellation or material changes must be provided to the University for all policies.
     3. Effect of Indemnification Obligations. No provision, term, or condition in the Contract regarding indemnification obligations shall be construed to limit the application of insurance procured by the Respondent in accordance with requirements set forth in the Contract.
     4. No Boycott of Israel. Respondent certifies and verifies that it: (i) does not boycott Israel and (ii) will not boycott Israel during the term of any agreements resulting from this proposal.

1. SPECIFIC REQUIREMENTS OF REQUEST FOR PROPOSAL
   1. **Failure to Comply with Requirements:** If Respondent fails to comply with any requirements contained in this RFP, Respondent’s Proposal will be considered non-responsive and will be rejected. Below are the specific requirements of the RFP.
   2. **Submission, Content, and Format of Proposals**:
      1. Owner will not accept Proposals received after the Proposal Deadline. Owner will not accept proposals that do not conform to the requirements of this RFP regarding the required format and size. Likewise, failure to address all aspects of the Project or the requirements of this RFP in a complete and meaningful way will subject a Proposal to rejection. Proposals that are qualified with conditional clauses, alterations, items not called for in this RFP, or irregularities of any kind are subject to rejection. Unnecessary or extraneous attachments shall NOT be included with Proposals and will not be reviewed, utilized or considered by Owner.
      2. Each Proposal must be submitted as one (1) original signed document plus one (1) bound hard copy plus one (1) electronic copy as a single PDF file less than 15 MB in size. Owner prefers simple and economically produced proposals describing Respondent’s ability to meet the requirements of this RFP in a straightforward, concise manner. In evaluating Proposals, emphasis shall be on the quality, completeness, clarity of content, responsiveness to requirements, and understanding and anticipation of Owner’s needs.
      3. The required hard-copy counterparts of Proposal must be printed on letter-size (8-1/2” x 11”) paper assembled with spiral or metal ring bindings and contains a MAXIMUM of THIRTY (30) printed pages. Each section must be separated with a divider sheet for quick reference. The cover, table of contents, divider sheets, sample documents, incumbency certificate, Bonding Letter, HSP, Execution of Offer and Cost and Delivery Proposal do not count as printed pages. Owner’s published manuals may be submitted in their entirety as an attachment or incorporated by reference.
   3. **Execution of Offer**: Each Proposal must include the completed, fully executed and acknowledged Execution of Offer in form and substance identical to the form attached hereto as **Exhibit B**.
   4. **HUB Subcontracting Plan**: Based on an analysis performed by the University’s Purchasing Department, subcontracting was determined to be (not to be) probable for this contract. Therefore, a HSP will (will not) be required to be submitted with the Proposal. **EXHIBIT D** contains the HSP form and instructions. If you have any questions about completing the HSP, if required, please contact Maya Thornton, HUB Director via email at [mpthornton@uh.edu](mailto:mpthornton@uh.edu).
   5. **Bonding Letter**: List your total bonding capacity and available bonding capacity. Attach a letter of intent from a surety to bond the Project in the minimum amounts required by law (the “***Bonding Letter***”) that identifies the Project as “RFP730-16XXX: XXXXXXXXXX”. Any Proposal submitted without a Bonding Letter, with a generic bonding letter, or with a bonding letter that does not satisfy the requirements of this Section 3.5 will be rejected as nonresponsive.
   6. **Additional Requirements**:

Additional requirements, if any, specified in the RFP are listed below:

3.6.1 (Describe requirement 1.)

3.6.2 (Describe requirement 2.)

1. SELECTION AND RATING CRITERIA
   1. **Rating Criteria**: Owner’s selection committee will rank Proposals in accordance with the following scale:

|  |  |  |
| --- | --- | --- |
| **criterion** | **Description** | **Value** |
| ONE | Respondent’s credentials and Cost and Delivery Proposal (Section 4.2) | 30.0% |
| TWO | Respondent’s qualifications and experience with a focus on renovations with short durations completed for the University of Houston System (including any component university) or other institutions of higher education (Section 4.3) | 20.0% |
| THREE | Respondent’s qualifications and experience of Proposed Construction Team (Section 4.4) | 15.0% |
| FOUR | Respondent’s construction and execution plan (Section 4.5) | 15.0% |
| FIVE | Respondent’s project planning and scheduling (Section 4.6) | 15.0% |
| SIX | Respondent’s safety management program (Section 4.7) | 5.0% |
| **Total of Weighted Value** | | 100.0% |

* 1. **Criterion One: Respondent’s credentials and Cost and Delivery Proposal.** 
     1. Submit Cost and Delivery Proposal in the form attached as **Exhibit C.**
     2. Provide the following information regarding Respondent:
        1. Single point of contact, including email address and mobile telephone number;
        2. Respondents’s legal name and certificate of good standing from the Texas Comptroller of Public Accounts as registered with the Texas Secretary of State;
        3. Address;
        4. Number of years in business under current name;
        5. Type of legal entity (individual, partnership, corporation, joint venture, etc.);
        6. Number of employees, organized by skill group.
     3. Provide a copy of Respondent’s financial rating and any documentation (e.g., a Dun and Bradstreet analysis) reflecting Respondent’s current financial stability.
     4. Provide three (3) consecutive prior years’ audited financial statements certified by a certified public accountant.
     5. Provide the following information for Respondent for the past five (5) fiscal years:
        1. Annual number of construction contracts, value and percent change in contracts in Texas and nationally
        2. Annual revenue totals and percent change
     6. Provide details of any past litigation that may affect Respondent’s performance under a contract with Owner for the Project, as well as any pending litigation or claims filed against Respondent.
     7. Provide details, including name and docket number, of any litigation involving Respondent relating to alleged or adjudicated construction defects.  If you have received notice of any construction defect claims against Respondent within twelve (12) months preceding the Proposal, disclose the details as to such claim(s) though no litigation may have as yet have been filed.
     8. Explain any relationship (relative, business associate, capital funding agreement, or any other close relationship) between Respondent and any employee, officer or Regent of the University of Houston System (including any component institutions).
  2. **Criterion Two: Respondent’s qualifications and experience with a focus on renovations with short durations completed for the University of Houston System (including any component university) or other institutions of higher education.** 
     1. List, most relevant first, no more than five (5) construction projects undertaken by Respondent within the last five (5) years that Respondent considers most similar or related to the Project, including for an institution of higher education preferably for Owner (including any component university of Owner). For each such project identify:
        1. project name, location, contract delivery method, and description
        2. initial estimated construction cost and final construction cost
        3. final project size in gross square feet
        4. type of construction (new, renovation, or expansion)
        5. actual dates of notice to proceed, substantial completion, and final payment
        6. name of Respondent’s project manager (individual responsible to the owner for the overall success of the project)
        7. name of Respondent’s project superintendent (individual responsible for coordinating the day to day work)
        8. name, address and telephone number of the owner’s representative, the architect/engineer and its representative during construction. Owner may contact one or all of the contacts during any part of this process.
        9. length of business relationship with the owner.
  3. **Criterion Three: Respondent’s qualifications and experience of Proposed Construction Team**.
     1. Identify the two (2) individuals who will serve as project manager and superintendent for the Project and, for each, the percentage of time that he or she will dedicate to the Project during construction phase. It is assumed that both individuals will be onsite for the full amount of his or her percentage commitment. If the Project manager will be managing other projects during the progress of the Project, identify how many and the nature/scope of projects the project manager will be managing.
        1. The identity of the project manager and the superintendent is a matter of great importance to Owner. Owner reserves the right to terminate a contract for the Project if either or both are replaced or are not the individuals identified by Respondent in Proposal.
     2. Provide the resume of each member of Respondent’s team that will be directly involved in the Project (the “***Proposed Construction Team***”). Resumes should identify each member’s experience with similar projects, the number of years employed by Respondent, and his or her city of residence. Resumes should be provided for each of the following to the extent he/she is a member of the Proposed Construction Team: project manager, superintendent, assistant project manager(s) and superintendent(s), expeditor(s), project scheduler, quality control inspector(s), safety coordinator/assistant, carpenter foreman, and labor foreman.
     3. Describe, in graphic and written form, the proposed Project assignments and lines of authority and communication for the Proposed Construction Team.
  4. **Criterion Four: Respondent’s construction and execution plan**.
     1. Describe your construction management and execution plan for delivering the construction services required for the Project.
     2. Describe your ability and desire to self-perform work on the Project, and the method for determining yourself as the “best value” through a competitive proposal process.
     3. Provide examples of records, reports, monitoring systems, and information management systems you will use on the Project during the Construction Phase.
     4. Sample Documentation: Excerpts of these documents conveying the key features of each may be submitted in lieu of the entire document:
        1. Project procedures manual
        2. Project work plan
        3. Safety program
        4. Quality control program
        5. Project schedules
        6. Meeting minutes, submittal logs/registers, field accounts, RFIs
     5. Describe what you perceive are the critical construction issues for the Project, including the essential information that you will need from Owner and Project Architect.
     6. Describe your approach to coordinating inspections with the Fire Marshal and the Inspections Department of Owner’s office of Facilities Planning and Construction, for approval of life safety systems and other standard inspections.
  5. **Criterion Five: Respondent’s project planning and scheduling**.
     1. Identify the specific resources (i.e. personnel, hardware, software, etc.) to be used on the Project with respect to Project planning and scheduling.
     2. Provide a detailed critical path method milestone schedule in Microsoft Project for the Project using the Project Schedule identified in Section 1.3.1 and identify specific critical process, phases, milestones, approvals, and procurements anticipated. Owner will require **weekly** schedule updates throughout the duration of the Project.
     3. Describe your plan for meeting or improving the Project Schedule. If you propose to improve the schedule, describe the impact it may have on the quality of services, materials or workmanship. Describe your understanding of the schedule challenges for the Project, and any impediments to meeting the schedule requirements.
  6. **Criterion Six: Respondent’s safety management program**.
     1. Describe your job site safety program for the Project and specific safety policies with which employees, subcontractors and consultants must comply while at the Project site.
     2. Identify the proposed safety management team members for the Construction Phase. For each individual, identify his or her previous experience (including job title(s)), expertise, duties, city of residence, and estimated percent of monthly involvement and duration of involvement in the Project. Include all details necessary to demonstrate the credentials required for the Project.
     3. Describe the methodology, including any technology or other assets that you intend to use to comply with the Contract Documents, to prevent jobsite incidents, and to limit insurance claims.
     4. List each event of serious injury and/or death on a project site controlled by you and describe, for each, the cause and any revisions you have made to your safety program as a result.

**EXHIBIT A**

**DRAWINGS AND SPECIFICATIONS**

**EXHIBIT B**

**EXECUTION OF OFFER**



**EXHIBIT C**

**COST AND DELIVERY PROPOSAL**



**EXHIBIT D**

**HUB SUBCONTRACTING PLAN (HSP)**

