Logo

Description automatically generated

**RFP NO. 730/783-[NUMBER]**

**Request for PROPOSALs**

**FOR**

**CONSTRUCTION MANAGER-AT-RISK SERVICES**

**FOR**

**[PROJECT NAME]**

**AT THE [CAMPUS]**

|  |  |  |
| --- | --- | --- |
|  |  |  |
|  |  |  |
| **Date Issued:** |  | [Date] |
|  |  |  |
| **Pre-Submittal Conference:** |  | [Date] at [Time] |
|  |  |  |
| **Questions Deadline:** |  | [Date] |
|  |  |  |
| **Proposal & HUB Subcontracting Plan Due Date and Bid Opening:** |  | [Date] |
|  |  |  |
| **Procurement Point of Contact:** |  | [Name] |
|  |  | Purchasing Department |
|  |  | 5000 Gulf Freeway |
|  |  | Building 1, Room 214 |
|  |  | Houston, TX 77204-5015 |
|  |  | [Buyer's E-Mail Address] |
|  |  |  |
|  |  |  |
| **Project Summary:** |  | [Project Summary] at the [campus/location]. |
|  |  |  |
| **Procurement Method:** |  | Selection will be made in accordance with the single-step process set forth in Tex. Educ. §51.782. |
|  |  |  |
| **HUB Goal:** |  | [HUB Percentage] |

Table of Contents

[SECTION 1 – THE PROJECT 2](#_Toc106191351)

[1.1 General 2](#_Toc106191352)

[1.2 Project Description 3](#_Toc106191353)

[1.3 Project Timeline. 3](#_Toc106191354)

[1.4 Budget. 3](#_Toc106191355)

[1.5 Design Overview: 3](#_Toc106191356)

[1.6 Contract Form. 3](#_Toc106191357)

[1.7 Procurement Schedule: 3](#_Toc106191358)

[1.8 Access and Parking 4](#_Toc106191359)

[SECTION 2 - GENERAL INFORMATION AND REQUIREMENTS 4](#_Toc106191360)

[2.1 Public Information. 4](#_Toc106191361)

[2.2 Historically Underutilized Businesses. 4](#_Toc106191362)

[2.3 Communication Restrictions 5](#_Toc106191363)

[2.4 Questions and Clarifications 5](#_Toc106191364)

[2.5 Pre-Proposal Conference. 5](#_Toc106191365)

[2.6 Submission of Proposals. 5](#_Toc106191366)

[2.7 Owner’s Reservation of Rights. 6](#_Toc106191367)

[2.8 No Reimbursement of Respondents’ Costs. 6](#_Toc106191368)

[2.9 Insurance Requirements. 6](#_Toc106191369)

[2.10 Liquidated Damages 6](#_Toc106191370)

[2.11 Prevailing Wage Rates. 7](#_Toc106191371)

[2.12 Corporate Partnerships and Sponsorships 7](#_Toc106191372)

[2.13 Compliance with Certain State Contracting Requirements 7](#_Toc106191373)

[SECTION 3 – SPECIFIC REQUIREMENTS OF REQUEST FOR PROPOSAL 8](#_Toc106191374)

[3.1 Format of Proposals - General Instructions. 8](#_Toc106191375)

[3.2 Execution of Offer. 9](#_Toc106191376)

[3.3 Incumbency Certificate. 9](#_Toc106191377)

[3.4 HUB Subcontracting Plan. 9](#_Toc106191378)

[3.5 Bonding Letter. 9](#_Toc106191379)

[SECTION 4 – QUALIFICATIONS 10](#_Toc106191380)

[4.1 General Information. 10](#_Toc106191381)

[4.2 Respondent’s Company Information 10](#_Toc106191382)

[4.3 Evaluation of Proposals 11](#_Toc106191383)

[4.4 CRITERION 1 – Cost and Delivery Proposal. 11](#_Toc106191384)

[4.5 CRITERION 2 – Relevant Experience and Capabilities. 11](#_Toc106191385)

[4.6 CRITERION 3 – Qualifications of Project Team. 13](#_Toc106191386)

[4.7 CRITERION 4 – Ability to Establish Budgets and Control Costs. 13](#_Toc106191387)

[4.8 CRITERION 5 – Knowledge of and Approach to Best Practices. 14](#_Toc106191388)

[4.9 CRITERION 6 – Ability to Manage Construction Safety Risks 15](#_Toc106191389)

[4.10 CRITERION 7 – Respondent’s Past HUB/MBE/WBE Goal Attainment and Quality of Procedures for UHS HUB Goal Attainment on this Project. 15](#_Toc106191390)

[SECTION 5 - EXHIBITS 15](#_Toc106191391)

|  |  |
| --- | --- |
| **EXHIBITS** | |
| A | Execution of Offer **\*required\*** |
| B | HUB Subcontracting Plan (“HSP”) and TIP Sheet **\*required\*** |
| C | CMAR HSP Procedures + Letter of Intent **\*Required\*** |
| D | Cost and Delivery Proposal **\*required\*** |
| E | No Boycott Certifications |
| F | Texas Public Information Act **\*required\*** |
| G | Corporate Response Form |

# **SECTION 1 – THE PROJECT**

* 1. **General**
     1. The University of Houston System (*“Owner”*) is soliciting proposals (*“Proposals”*) from interested firms (each, a *“Respondent”*) for the selection of a construction manager-at-risk *(“CMAR*”) to provide pre-construction and construction services for [overview of project] at the [campus/location] (the *“Project”*).
     2. This RFP is the first and only step of the process for selecting a CMAR as provided by Texas Education Code §51.782(d). The RFP provides the information necessary to prepare and submit a proposal including fees and general conditions. Owner will rank the Respondents in the order that provide the “best value” based on evaluation criteria set forth below.

* 1. **Project Description****.** [Project Description]
  2. **Project Timeline.** The preliminary project timeline for the Project is:

|  |  |
| --- | --- |
| Design Start | [enter date] |
| Construction Start | [enter date] |
| Substantial Completion | [enter date] |
| Final Completion | [enter date] |

* 1. **Budget.** The Total Project Cost **(*“TPC”*)** for this Project is [enter TPC]. The TPC includes a Construction Cost Limitation (***“CCL”***) of [enter CCL]. Fees, furnishings, equipment, other work, miscellaneous expenses, and contingencies make up the balance of the TPC. Owner reserves the right to increase and/or decrease the CCL and TPC in its sole discretion.
  2. **Design Overview:** The Project shall be designed and constructed in accordance with the University of Houston’s Campus Design Guidelines and Standards and Master Specifications (both with campus specific amendments), which are published by Owner’s Facilities Planning and Construction Office at <http://www.uh.edu/plantops/departments/fpc/owners-design-criteria/index.php> and serve as a guide to designing physical improvements for the University of Houston, understanding that materials and finishes will complement existing buildings located on the University of Houston main campus.
     1. [Architect/Engineer consultant name], is the Project Architect/Engineer and design is currently in the design development stage.
  3. **Contract Form.** Owner will award a contract in response to this RFP, if at all, on its standard form Construction Manager-at-Risk Agreement (the “Contract Form”). A copy of the current Contract Form may be found online at: <https://uhsystem.edu/legal-affairs/general-counsel/construction/construction-contracts-and-forms/index.php>.
     1. The Contract Form contains not only the terms under which Owner will contract, but also references to laws affecting the agreement and the design and construction of the Project, including laws governing procurement (including timing for payment), participation by Historically Underutilized Businesses (each, a **“**HUB**”**), insurance requirements, state contracting requirements, etc. Any capitalized term used but not defined in the RFP has the meaning ascribed to it in the Contract Form. **By submitting its proposal, Respondent is expressly consenting to the terms, conditions and provisions of the Contract.**
  4. **Procurement Schedule:** The following schedule has been established for this RFP:

|  |  |
| --- | --- |
| **RFP Posted to ESBD** | XXXXXX |
| **Pre-Proposal Conference** | XXXXXX @ XXXXXX pm CT |
| **Questions Deadline** | XXXXXX @ XXXXXX pm CT |
| **Proposal Deadline** | XXXXXX @ XXXXXX pm CT |
| **HUB Subcontracting Plan Deadline** | XXXXXX @ XXXXXX pm CT |
| **Proposal Opening** | XXXXXX @ XXXXXX pm CT |
| **Notice to Proceed (estimated contract)** | TBD |
| **Construction Mobilization (estimated)** | [Enter date] |
| **Substantial Completion** | [Enter date] |
| **Final Completion** | [Enter date] |
| The University reserves the right to change this schedule at its sole discretion.  The University will be closed the following days:  <https://www.uh.edu/human-resources/payroll/holiday-schedule/> | |

* 1. **Access and Parking**
     1. Access to the field for construction activities, deliveries, etc. will be from the parking lot adjacent to the site location. Access is subject to coordination with ongoing construction and campus activities.

* + 1. [Where is “Paid contractor parking?”] Paid contractor parking is available at parking garages located across the street from XXXXXX. Complimentary contractor parking is also available at UH Technology Bridge in the front gravel lot beyond the electrical tower. These locations can be identified by visiting the following link: <http://www.uh.edu/af-university-services/parking/parking-on-campus/erp-parking/>. If other parking arrangements are needed, it must be coordinated in advance through Owner’s project manager and approved by Parking and Transportation Services in writing.

## **SECTION 2 -** **GENERAL INFORMATION AND REQUIREMENTS**

1. 1. **Public Information.** Proposals and any other information submitted by Respondents in response to this RFP are the property of Owner. Owner considers all information, documentation and other materials submitted in response to this RFP to be non-confidential and/or non-proprietary, and therefore subject to the public disclosure, under the Texas Public Information Act (Texas Government Code Chapter 552) after a Contract is awarded. **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, Owner 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 (TAC) Title 34, part 1, Chapter 20 Subchapter B Section §20.14. 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 Owner. The Respondent shall maintain business records documenting compliance with the HUB Subcontracting Plan (HSP) and shall submit a monthly Progress Assessment Report (“PAR”) via the University of Houston’s Contracts Compliance System, <https://uh.gob2g.com> The PAR submission shall be required as a condition for payment.
      1. The successful Respondent shall report to Owner the identity and amount paid to each HUB and non-HUB subcontractor to whom the Respondent has awarded a subcontract for labor, supplies, materials and equipment. The subcontractors listed in the PARs should be the same vendors identified in the HSP during the life of the contract. Complete the PARs Designee Form and submit with the HUB Subcontracting Plan. Information regarding the submission of the HSP required with this solicitation is included in Section 3.4 below.
   3. **Communication Restrictions**

* + 1. Owner designates the following person as its representative and ***Point of Contact*** in connection with this RFP:

[Buyer name]

University of Houston

Purchasing Department

5000 Gulf Freeway

Building 1, Room 214

Houston, TX 77204-5015

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

2.3.2 Respondents shall submit by email any questions which may arise during the preparation of the RFP to the Point of Contact. Until the Construction Manager is identified and executes a contract for the Project on the Contract Form (the *“Contract”*), 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.

* 1. **Questions and Clarifications** All questions and requests for clarification will be submitted in writing, preferably by email, to the Point of Contact by the Questions Deadline, and must reference “RFP730-XXXXX [Title]”. The Point of Contact will publish all questions and requests for clarification with their respective responses, as well as any other addenda to this RFP at the electronic state business daily website, <http://www.txsmartbuy.com/sp>, under the Project.
  2. **Pre-Proposal Conference.** A [**mandatory/non mandatory]** pre-proposal site-visit will be held [in person/Zoom] at the [Location/Zoom link] on [date] at [time].

\*Optional Language\*

A mandatory pre-submittal meeting will take place on [date] at [time] CT via Zoom. Failure to attend the mandatory pre-submittal meeting will result in disqualification. Prospective respondents must register in advance through the following link and are strongly encouraged to register at least twenty-four (24) hours in advance of scheduled pre-submittal meeting:

<https://uh-edu-cougarnet.zoom.us/meeting/register/tJYodOqoqD0uGtTzXVTE5rt6DTJ4PPNDLhiJ>

Prospective respondents will receive an email confirming registration along with additional information on how to join the meeting.

* 1. **Submission of Proposals.** Proposals must be in writing and received by the deadline date listed in Section 1.6 by the Point of Contact on or before Proposal Deadline. Owner will not accept Proposals received after the Proposal Deadline, that do not include the Execution of Offer (as identified in Section 3.2 below), or that do not conform to the requirements of this RFP regarding the required formats and size. Likewise, Proposals that do not address all aspects of the Project or the requirements of this RFP in a complete and meaningful way will be subject to rejection as non-responsive. Proposals that are qualified with conditional clauses, alterations, items not called for in this RFP, or irregularities of any kind will subject the Proposal to rejection. Unnecessary or extraneous attachments shall NOT be included with the Proposals. Only the responses provided by the Respondent to the requirements identified in this RFP will be used by the Owner for evaluation. Proposals must be delivered to Owner’s Point of Contact:

[Buyer name]

University of Houston

Purchasing Department

5000 Gulf Freeway

Building 1, Room 214

Houston, TX 77204-5015

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

* + 1. All Proposals will be reviewed and evaluated by Owner’s selection committee. The selection committee will interview all Respondents that submit a Proposal as and when required in this RFP. Respondents will be notified of the date, time and location of interviews.
    2. Each Respondent will be represented at its interview by its proposed Pre-Construction Phase manager, project manager, project superintendent and no more than three (3) other individuals who would be working directly with Owner’s representatives if Respondent were awarded the Contract.
  1. **Owner’s Reservation of Rights.** The owner makes no representations of any kind that an award will be made as a result of this RFP. Owner reserves the right to accept or reject any or all Proposals, waive any formalities or minor technical inconsistencies, or delete any item/requirements from this RFP when deemed to be in Owner’s best interest. Further, and in accordance with Texas Education Code Section 51.782, Owner reserves the right to cease negotiations with the Respondent initially selected for the award should the parties be unable to come to terms, and proceed to negotiate with the next best qualified Respondent.
  2. **No Reimbursement of Respondents’ Costs.** Owner will not reimburse Respondents any costs generated and/or incurred in the preparation, reproduction, or delivery of the Proposals or any other material generated and/or submitted in connection with this RFP.
  3. **Insurance Requirements.** 
     1. The insurance requirements for any contract awarded pursuant to this RFP are set forth in the Contract Form.   Specific to this project, in addition to the insurance requirements found in the Tx UGC, we also require the following:
        1. Pollution Liability [is/ is not] required for this Project.
        2. Commercial Umbrella or Excess Liability Insurance [is/ is not] required in an amount of no less $10,000,000 per occurrence and in the aggregate, coverage must be follow form; and
        3. Builders Risk and/or Installation Floater.  Contractor shall propose pricing for both types of coverages within the provided Cost and Delivery Proposal included in **EXHIBIT D**.  Owner may require the successful Respondent to provide some or all of this coverage or elect to provide the coverage itself.
     2. No provision, term, or condition in the Contract form 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 form.
  4. **Liquidated Damages**. Respondent agrees by submission of his proposal to start the work on the date specified in a written “Notice to Proceed” issued by the University of Houston and to complete the Project within **[# of days] days** (the *“Contract Time”*). Respondent agrees that by submission of this proposal to pay the following amounts for each consecutive date that the Project is not fully complete beyond the Contract Time as mutually agreed to liquidated damages and not as a penalty.

|  |  |
| --- | --- |
| **Late Completion Day(s)** | **Per Diem Amount** |
| 0-15 | [Enter amount] |
| 16-30 | [Enter amount] |
| 30+ | [Enter amount] |

* 1. **Prevailing Wage Rates.** The successful Respondent shall pay not less than the wage scale of the various classes of labor as shown on the prevailing wage schedule as established by the United States Department of Labor in accordance with the Davis-Bacon Act, as amended, for Harris County as of the date of execution of the contract awarded pursuant to this RFP.
  2. **Corporate Partnerships and Sponsorships** Corporate Partnerships provide increased value beyond simple purchasing agreements by leveraging the UH System’s consolidated spending power across all campuses, athletic, academic, and research strengths and other marketing assets to develop expanded and coordinated opportunities for both the UH System and its corporate partners. Corporate partners are UH System suppliers and service providers whose affiliations with the UH System may help to expand their markets or create mutually beneficial opportunities. The UH System seeks to develop mutually beneficial opportunities with corporate partners and encourages proposers to explore ways to increase the value of the partnership between the UH System and the corporate partner. Opportunities are listed on [the University of Houston Corporate Sponsorship webpage](https://giveto.uh.edu/corporate-sponsorship/) might include:
* Student Talent/ internships
* Community Programming
* Alumni Association Partnerships
* Research and Innovation
* Campus Marketing and Branding
* Athletics

Proposers should submit the University of Houston Corporate Response Form **(EXHIBIT G)** to indicate any areas of interest for additional partnership opportunities and return the completed form with their response to this solicitation, separately from their bid response, to the buyer named in this solicitation. Corporate Response Forms embedded in solicitation responses will be considered non-compliant and the proposer will be provided forty-eight (48) hours to submit a corrected solicitation response and Corporate Response Form.

Proposer interest in additional partnership opportunities will not be disclosed to the solicitation evaluation committee. Proposer interest in additional partnerships will not be utilized in scoring except by the Purchasing Department in the event of a tie between two proposers. Proposer interest in additional partnerships will not be a part of contractual negotiations. The additional partnership interests of the winning proposer will be provided to the appropriate UH System department once the contract resulting from the solicitation is fully executed. That office will assist proposers and awardees with the development and execution of these opportunities.

* 1. **Compliance with Certain State Contracting Requirements** 
     1. *Anti-Boycott of Israel*. The successful Respondent will be required to certify that that it is not currently engaged in, and agrees for the duration of the contract awarded pursuant to this RFP not to engage in, the boycott of Israel as defined by Section 808.001 of the Texas Government Code. **(EXHIBIT E)**
     2. *Anti-Boycott of Energy Companies.* The successful Respondent will be required to certify that that it is not currently engaged in, and agrees for the duration of the contract awarded pursuant to this RFP not to engage in, the boycott of energy companies as defined by Section 809.001 of the Texas Government Code. **(EXHIBIT E)**
     3. *Anti-Boycott of Firearm Entities or Firearm Trade Associations.* The successful Respondent will be required to certify that that it does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association, or will not discriminate against a firearm entity or firearm trade association for the duration of the contract awarded pursuant to this RFP, as defined by Section 2274.001 of the Texas Government Code. **(EXHIBIT E)**
     4. *Certification of No Business with Foreign Terrorist Organizations.* For purposes of Section 2252.152 of the Texas Government Code, the successful Respondent will be required to certify that, at the time of the contract awarded pursuant to this RFP neither the successful Respondent nor any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of the successful Respondent, is a company listed by the Texas Comptroller of Public Accounts under Sections 2252.153 or 2270.0201 of the Texas Government Code as a company known to have contracts with or provide supplies or to a foreign terrorist organization.
     5. *Certificate of Interested Parties.* If the value of the contract awarded pursuant to this RFP exceeds $1,000,000, the successful Respondent will be required to it has complied with Section 2252.908 of the Texas Government Code and Part 1 Texas Administrative Code Sections 46.1 through 46.3 as implemented by the Texas Ethics Commission (*“TEC”*), if applicable, and has provided Owner with a fully executed TEC Form 1295, certified by the TEC and signed and notarized by the successful Respondent.
     6. *Certification of Compliance – Texas Public Information Act Contracts for $1 Million or more* ***(EXHIBIT F)***
        1. If the contract awarded pursuant to this RFP has a value of $1,000,000 or more, then the successful Respondent shall:
           1. preserve all “contracting information” as defined in Section 552.003 of the Texas Government Code related to the contract as provided by the records retention requirements applicable to Owner for the duration of the contract;
           2. provide to Owner any contracting information related to the contract that is in the custody or possession of the successful Respondent on request of Owner no later than 10 business days after receiving such request from Owner; and
           3. on completion of the contract, either:

Provide at no cost to Owner all contracting information related to the contract that is in the custody or possession of the successful Respondent; or

Preserve the contracting information related to the contract as provided by the records retention requirements applicable to the University.

* + - * 1. Furthermore, the successful Respondent agrees that the requirements of Subchapter J, Chapter 552, Government Code, may apply to the contract and the successful Respondent agrees that the contract can be terminated if the successful Respondent knowingly or intentionally fails to comply with a requirement of that subchapter.
    1. Additional state contracting requirements are included in the Contract Form.

## **SECTION 3 – SPECIFIC REQUIREMENTS OF REQUEST FOR PROPOSAL**

1. 1. **Format of Proposals - General Instructions.** Failure to comply with all requirements contained in this RFP will subject the Proposal to rejection.
      1. Each Proposal must be submitted as one (1) package with two (2) individually sealed envelopes inside. The proposal documents, attachments, execution of offer, and any other information must be included in one envelope with a copy on USB. Two (2) copies of the proposal must be included. The completed HUB Subcontracting Plan must be in the second envelope with a copy on USB. One (1) copy of the HSP must be included. Owner prefers simple and economically produced Proposals describing the 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 the requirements, and Respondent’s understanding and anticipating of the Owner’s needs.
      2. The required hard-copy counterparts of Proposals must be bound and printed on letter-size (8-1/2” x 11”) paper, assembled with spiral or metal ring bindings and contain a MAXIMUM of THIRTY (30) double sided printed pages (60 single-sided pages total). The cover, table of contents, divider sheets, HSP, Cost and Delivery Proposal and Execution of Offer do not count as printed pages. Each statement, graphic section, and sample document by use of a divider sheet must be separated and identified with an integral tab for ready reference. Owner’s published manuals may be submitted in their entirety as an attachment or incorporated by reference. Excerpts from reports, schedules, etc. may be included in an index to your main response packet and will not be counted against the 25-page limits. Indices may not exceed 20 total pages. Sample Documentation:

* Pre-Construction Phase Issues Tracking Log;
* Value Engineering Cost Tracking Log;
* GMP Estimate Tracking Log;
* Project Procedures Manual;
* Standard Operating Procedures Manual;
* Project Work Plan;
* Site-Specific Safety Plan;
* Site Specific Quality Control Plan;
* Web-based Project Management;
* Sample Project Schedules; and
* Meeting Minutes/Agenda, Submittal Log, RFI Log, and Contingency Log.
  1. **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 A**.
  2. **Incumbency Certificate.** Each Proposal must include an incumbency certificate establishing the individuals authorized to sign on behalf of Respondent. If Respondent is a limited partnership, the incumbency certificate must be for the individual authorized to bind the general partner of the limited partnership on behalf of the limited partnership.
  3. **HUB Subcontracting Plan.** Based on an analysis performed by the University’s Purchasing Department, subcontracting was determined to be probable/not probable for this contract. Therefore, an HSP will/will not be required to be submitted with the Proposal. **EXHIBIT** **B** contains the HSP form and instructions and **EXHIBIT C** contains theCMAR HSP Instruction Tip Sheet and Letter of Intent. Return HUB Plans in separate envelopes sealed and with the reference number **RFP730-XXXXX [Title]**. Additionally, you may email the HUB Operations Department at [hubdocs@uh.edu](mailto:hubdocs@uh.edu) should you have any additional questions.
     1. The HUB Subcontracting Goal for this project is [Enter HUB %]%.
     2. The HUB Operations Department offers a courtesy review. Email [hubdocs@uh.edu](mailto:hubdocs@uh.edu) should you request a review. Reviews may take several days and respondents are encouraged to plan accordingly.
  4. **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-XXXXX [Title]**”. 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 5.5 will be rejected as nonresponsive.

## **SECTION 4 – QUALIFICATIONS**

1. 1. **General Information.** Proposals will be reviewed and ranked by Owner’s selection committee. While the exact composition of the selection committee is not a matter of public information, for the purpose of this RFP the Chair of the Committee is the Point of Contact. The selection committee will include representatives from various campus departments.
      1. If, in Owner’s judgment, a Respondent’s proposed team does not include all the specialties needed to perform all services for the Pre-Construction Phase and Construction Phase of the Project, or includes unnecessary or redundant services (and/or service providers), Owner may, at its sole discretion, request that Respondent revise the team. Owner also may recommend qualified, reputable subcontractors and/or consultants help meet the HUB goal.
      2. Each Proposal must address fully and meaningfully the requirements of this RFP including, but not limited to, evaluation criteria set forth in this Section.
   2. **Respondent’s Company Information**: Each Proposal should address each of the following areas in the same order in which they are set forth below:
      1. Introduction and general information of Respondent;
      2. Firm data and general qualifications;
      3. Legal name and address(es); and
      4. Firm profile, i.e.;
         * Age;
         * Type of legal entity (e.g., partnership, professional corporation, etc.);
         * Firm history;
         * Firm size (professionals by discipline) currently and one year ago; and
         * Areas of specialty/concentration.
      5. Attach a letter of intent addressed to the owner from a surety company indicating that there is no obstacle to bonding Respondent for the entire Project.
         1. Identify Respondent’s total bonding capacity, available bonding capacity and the current backlog of projects.
      6. Respondent’s financial stability will be evaluated based on Respondent’s consistent revenue stream, and on pending acquisitions, loan defaults and litigation.
         1. Certify that Respondent will submit an audited copy of Respondent’s financial statements for the past three (3) years, if requested by Owner.
         2. Provide Respondent’s annual revenue total for the immediately preceding fiscal year.
         3. Provide Respondent’s annual revenue totals for the past five (5) years.
         4. Provide Respondent’s annual revenue totals within the state of Texas for the past five (5) years.
         5. If Respondent is currently for sale or otherwise involved in any transaction to expand or to become acquired by another business entity, explain the impact the proposed transaction is expected to have on Respondent’s organization and operation and on the staffing of the Project.
         6. If Respondent is currently in default, or has received a notice of default, or will be (due to the passage of time) in default on any loan or financing agreement with any bank, financial institution, or another lender, specify relevant dates, circumstances, and prospects for resolution.
         7. Identify and provide details of any pending or threatened litigation or claims against Respondent:
            1. That would affect Respondent’s performance on the Projects if a Contract were awarded to Respondent, and/or
            2. Alleging Respondent’s default under a contract for the construction, modification or renovation of permanent improvements to real property.
   3. **Evaluation of Proposals**. By submitting its Proposal, Respondent accepts the evaluation process and acknowledges and accepts that determination of the “most qualified” firm(s) may require subjective judgments by Owner.
      1. Owner’s selection committee will review and evaluate all complete and compliant Proposals in accordance with the criteria set forth in this RFP.
      2. Owner reserves the right to produce a short list of up to five (5) Respondents. All Respondents will be notified of the short list.
      3. If the Selection Committee elects to conduct interviews of the short-listed Respondents, the Owner will notify them of the date, time and location of these interviews.
      4. Proposals will be evaluated and ranked based on the following matrix:

|  |  |
| --- | --- |
| **Category** | **Value** |
| CRITERION 1 - Cost and Delivery Proposal (Section 4.4) | % |
| CRITERION 2 - Relevant Experience and Capabilities (Section 4.5) | % |
| CRITERION 3 - Qualifications of Project Team (Section 4.6) | % |
| CRITERION 4 - Ability to Establish Budgets and Control Costs (Section 4.7) | % |
| CRITERION 5 - Knowledge of and Approach to Best Practices (Section 4.8) | % |
| CRITERION 6 - Ability to Manage Construction Safety Risks (Section 4.9) | % |
| CRITERION 7: Respondent’s Past HUB/MBE/WBE Goal Attainment and Quality of Procedures for UHS HUB Goal Attainment on this Project (Section 4.10) | 10% |
| **Total of Weighted Value** | **100%** |

* 1. **CRITERION 1 – Cost and Delivery Proposal.**
     1. Include completed and executed Cost and Delivery Proposal set forth in **Exhibit D**.
  2. **CRITERION 2 – Relevant Experience and Capabilities.** Relevant experience and capabilities will be judged through a review of completed projects of similar components and complexity as the Project.
     1. Provide data for no more than five (5) but no less than two (2) projects, in order of relevance, that best illustrate Respondent’s experience and current capabilities relevant to the Project (the *“Representative Projects”*). [Include any specific details that is required for project]. For each Representative Project, identify the Project Team members that have been involved **firsthand** in providing primary services, and provide the following information:
        1. Project name and location.
        2. Brief project description including:
           1. Type of construction (new, renovation, or expansion).
           2. Size in GSF, scope and contract delivery method.
           3. Color images (photographic or machine reproductions).
           4. Construction cost estimate determined by Respondent during pre-construction phase services.
           5. Final construction cost.
           6. Actual notice to proceed for pre-construction services.
           7. Actual notice to proceed, substantial completion, and final completion dates for construction services.
           8. Name of project manager (individual responsible to the owner for the overall success of the project).
           9. Name of project superintendent (individual responsible for coordinating the day-to-day work).
           10. Names of mechanical, plumbing and electrical subcontractors.
           11. If any member of Respondent’s Project Team was directly involved, his or her name and title on such Representative Project.
        3. The owner’s name, and the address, email address and telephone number of an individual employed with the owner that Owner can contact for references. Identify the length of Respondent’s business relationship with the owner.
        4. The name and contact information (including email address and phone number) of the architect/engineer’s name and representative who served as the day-to-day liaison during the construction phase of the project, including telephone number.
     2. References shall be considered relevant based on specific project participation and experience with the Respondent. Owner reserves the right to contact the listed references and any other references at any time during the RFP process. Your Qualifications should specifically acknowledge your approval for Owner to contact references as set forth in Sections 6.5.1.3 and 6.5.1.4, and
     3. Identify a maximum of three (3) completed projects of any type for which Respondent has received an award for construction excellence from a recognized organization and provide descriptive information for each.
  3. **CRITERION 3** **– Qualifications of Project Team.** The qualifications of the Project Team will be evaluated based on the experience of the individual, primary team members and/or consultants with special emphasis given to their experience within their assigned roles and their history of working together on other projects. Emphasis is also given to the proximity of the primary residence of key Project Team members to the Project.
     1. Provide the resume of each member of the Project Team, including his/her experience with similar projects, the number of years with Respondent, and city of residence. For each resume, identify whether the team member will be involved in Pre-Construction Phase Services or Construction Phase Services (both, as defined in the Contract Form), and include at least two professional references from individuals who are not associated with Respondent.
     2. For each member of the Project Team identified in your response to Section 6.5, describe his or her responsibility in each of the Representative Projects and compare it with his or her anticipated responsibility in the Project.
     3. Identify any consultants that are included as part of the Project Team, their role and related experience for this Project. List projects for which the consultant(s) has worked with Respondent.
     4. Identify by name, direct dial telephone number and city of residence of Respondent’s officer or principal who will have daily operational responsibility for the Project, and describe his or her experience with similar projects, number of years employed by Respondent.
  4. **CRITERION 4 –** **Ability to Establish Budgets and Control Costs.** Ability to establish budgets and control costs will be evaluated based on Respondent’s policy and practice (supported by past project successes) of establishing, managing and reporting accurate budget/estimate data including design reviews for constructability and ensuring that design conforms to budget constraints.
     1. Provide specific examples of recent projects where Respondent’s policies and practices have been used to develop and control budget.
     2. Describe your fiduciary responsibility as a CMAR using Guaranteed Maximum Price contracts for publicly funded projects.
     3. Describe your cost estimating methods during the pre-construction, design and construction phases. For any two (2) of the Representative Projects, explain, with specific examples, how these techniques were used and what degree of accuracy was achieved.
     4. Describe your cost control methods during construction and how you procure subcontracts, confirm scope, confirm costs and ensure proper payment. For any two (2) of the Representative Projects, explain, with specific examples, how these techniques were used and the degree of accuracy achieved.
     5. Describe your methodology for working with the project architect/engineer and its consultants to deliver a Guaranteed Maximum Price and to stay on budget throughout the design and construction process.
     6. Provide a sample of a cost estimate used to establish a contract amount from any of the Representative Projects.

3.5.7 Describe your process for ensuring that the design documents provide the information necessary to arrive at a complete Guaranteed Maximum Price, including all Owner requirements with reasonable contingencies; and your process for subsequently ensuring that the 100% complete Construction Documents align with the Project scope in the previously accepted Guaranteed Maximum Price.

* 1. **CRITERION 5 – Knowledge of and Approach to Best Practices.** Knowledge and approach to best practices will be evaluated based on Respondent’s approach to Quality Assurance / Quality Control (“*QA/QC*”), including Respondent’s experience in working with owners who have their own inspections team/program, as well as Respondent’s philosophy and approach to various other areas of “industry best practice” and how Owner would benefit from Respondent’s approach as compared with the approach of Respondent’s competitors.
     1. Describe your QA/QC program. Explain the methods used to ensure QA/QC during the Construction Phase of a project. Provide specific examples of how these techniques or procedures were used for any of the Representative Projects.
     2. Describe your procedures for implementing “industry best practice” as defined by the Construction Industry Institute and similar organizations for:
        1. Establishing and tracking project objectives;
        2. Using project scope definition resources (*i.e.*, Project Definitions Rating Index (*“PDRI”*)) in order to obtain complete and accurate design and construction documents from the architect/engineer;
        3. Partnering;
        4. Cost tracking;
        5. Master milestone scheduling, look-ahead planning, and weekly work planning to ensure best productivity;
        6. Change (order) management systems;
        7. Building systems commissioning including coordination with the Owner’s commissioning agent; and
        8. Total quality management for each phase, including coordinating with the owner’s project inspectors, testing, commissioning, training, close-out and warranty service.
     3. Provide an example of a successful constructability program used to maintain project budgets without sacrificing quality.
     4. Experience with utilizing Building Information Modeling (“*BIM*”) in conjunction with an architect/engineering team (“*A/E*”) for communication and coordination of building components. Finally, discuss your firm’s experience and approach to partnering with an A/E to coordinate and consolidate project as-built information in a BIM model for the owner’s use in building life cycle management.
     5. Describe your methodology for advertising, evaluating and selecting trade contrators for “major” institutions of higher education as a CMAR.
     6. As a CMAR, describe your relationship with the local subcontracting community.
     7. Provide any other details regarding special services, products, advantages or other benefits offered to Owner by Respondent.
     8. Describe what you believe are the unique operational skills and experiences that distinguish Respondent from its competitors.
  2. **CRITERION 6 – Ability to Manage Construction Safety Risks.**  Respondent’s ability to manage construction safety risks will be evaluated based on Respondent’s proven approach to eliminating construction accidents supported by Respondent’s Experience Modification Rate (“*EMR*”) history.
     1. Briefly describe Respondent’s approach for anticipating, recognizing and controlling safety risks and note the safety resources that Respondent provides for each project’s safety program.
     2. Describe the level of importance to Respondent of enforcement and support of project safety and to what extent it features in performance evaluations for superintendents and project managers.
     3. Describe Respondent’s jobsite safety and insurance claims history information.
     4. For all projects that Respondent has managed (or co-managed) in the past five (5) years, list and describe all events or incidents that have reached any of the following levels of severity:
        1. Any jobsite occupational illness or injury that resulted in death or total and permanent disability, including non-construction personnel;
        2. Any jobsite occupational illnesses or injuries that resulted in hospital admittances, including non-construction personnel;
        3. Any jobsite explosion, fire or water damage that claimed 5% of the project’s construction value;
        4. Any jobsite failure, collapse, or overturning of a scaffold, excavation, crane or motorized mobile equipment when workers were present at the project.
     5. Identify Respondent’s EMR for the three (3) most recent annual insurance-year ratings.
     6. Identify Respondent’s annual OSHA Recordable Incident Rates (RIR) for all work performed during the past three (3) calendar years.
  3. **CRITERION 7 – Respondent’s Past HUB/MBE/WBE Goal Attainment and Quality of Procedures for UHS HUB Goal Attainment on this Project.**
     1. What projects have your company completed that had a HUB or MBE/WBE goal? What were the HUB or MBE/WBE goal percentage or dollar amount that was provided by the owner and the actual HUB or MBE/WBE goal attained? What projects have you completed for the University of Houston System which had HUB or MBE/WBE goals?
     2. If the HUB/MBE/WBE goal was met for the projects listed above, what were the procedures followed that led to a meeting that goal? If the HUB/MBE/WBE goal was not met for a project, what were the reasons for not attaining the goals?
     3. What are your company’s internal processes and procedures to ensure that this project’s HUB goal will be met or explain why the HUB goal cannot be met?
     4. Does your company have an internal HUB/MBE/MWE goal? What is the goal? What was the attainment in the past 2 fiscal years?
     5. Is your company willing to participate in a kick-off meeting to describe sub-contracting to be offered?
     6. Please describe how you will package the sub-contracting to maximize HUB/MBE/MWE participation.

# **SECTION 5 - EXHIBITS**

The following exhibits are located on the Electronic State Business Daily:

|  |  |
| --- | --- |
| **EXHIBITS** | |
| A | Execution of Offer **\*required\*** |
| B | HUB Subcontracting Plan (“HSP”) and TIP Sheet **\*required\*** |
| C | CMAR HSP Procedures + Letter of Intent **\*Required\*** |
| D | Cost and Delivery Proposal **\*required\*** |
| E | No Boycott Certifications |
| F | Texas Public Information Act **\*required\*** |
| G | Corporate Response Form |

Visit <http://www.txsmartbuy.com/sp> and under **Agency/Texas SmartBuy Member Name,** select **University of Houston – 730**. Under **Status,** select **Posted** and click **search** to get a list of active University of Houston projects.