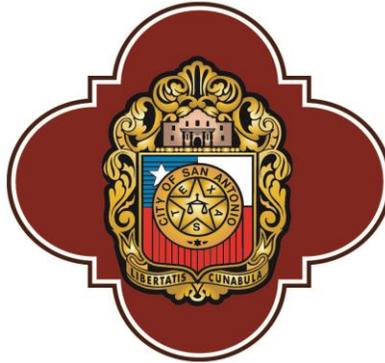


**CITY OF SAN ANTONIO
TRANSPORTATION & CAPITAL IMPROVEMENTS**



REQUEST FOR QUALIFICATIONS:

**DESIGN-BUILD SERVICES
FOR
SAPD FACILITY PROJECT
(RFQ # TCI01292020MG)**

Notice Regarding Prohibition on Campaign or Officeholder Contributions for Individuals and Entities Seeking High-Profile Contracts. Under Section 2-309 of the Municipal Campaign Finance Code, the following are prohibited from making a campaign or officeholder contribution to any member of City Council, candidate for City Council or political action committee contributing to City Council elections from **February 12, 2020** , until 30 calendar days after the contract has been awarded (black out period):

1. legal signatory of a high-profile contract;
2. any individual seeking a high-profile contract;
3. any owner or officer of an entity seeking a high-profile contract;
4. the spouse of any of these individuals;
5. any attorney, lobbyist or consultant retained to assist in seeking contract.

A high-profile contract cannot be awarded to the individual or entity if a prohibited contribution has been made by any of these individuals during the “black out” period.

HIGH PROFILE

RFQ ISSUE DATE:

January 29, 2020

SUBMITTAL DEADLINE:

**March 11, 2020
10:00 A.M. Local Time**

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ATTACHMENTS

Design-Build Contract Template	Exhibit A
SBEDA Ordinance Contract Provisions	Exhibit B
General Conditions	Exhibit C

Forms to be uploaded in CivCast with Statement of Qualifications:

Submittal Checklist and Table of Contents	Form 1
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Required Forms must be uploaded / submitted individually:

Respondent Submittal Cover Sheet	Form 2
Discretionary Contracts Disclosure Form and Instructions	Form 3
Litigation Disclosure Form	Form 4
SBEDA: Subcontractor/Supplier Utilization Commitment Form	Form 5

DESIGN-BUILD SERVICES FOR THE SAN ANTONIO POLICE DEPARTMENT FACILITY PROJECT

I. BACKGROUND

The City of San Antonio (hereafter referred to as “City” or “Owner”), Transportation and Capital Improvements Department (hereafter referred to as “TCI”) is soliciting for the selection of one or more Design-Build (hereafter referred to as “DB”) Firms for design and construction services for the Design-Build Services for the San Antonio Police Department Facility Project.

This Request for Qualifications (hereafter referred to as “RFQ”) is the first of a two-phase solicitation process. City will qualify a maximum of up to five (5) DB firms which will be invited to participate in Phase II of the solicitation process, consisting of a request for additional information and potential interviews.

Through this single solicitation, it is City’s intent to select one DB firm to design and construct the project.

II. PROJECT DESCRIPTION/SCOPE OF WORK

Project Description:

The San Antonio Police Department (SAPD) Facility is to be a 2-story building roughly 24,000 square foot facility with associated parking facilities for police and the public. The parking should house both marked and unmarked vehicles, special vehicles, as well as the personally owned vehicles. The facility will be located at 2020 N. St. Mary’s St.

Estimated project amount is a not-to-exceed budget of \$10,550,000 million.

Purpose:

The San Antonio Police Department Facility will house patrol, San Antonio Fear Free Environment hereafter referred to as “SAFFE”, property crimes, and Critical Response Team hereafter referred to as “CRT.” The San Antonio Police Department Facility will provide additional police presence and support to the citizens of San Antonio, particularly in and around the downtown area. Additionally, there will be a small community room within the new facility that will be available to neighborhood groups or to host police department outreach events.

Program Summary:

The Public will access the building from a public entry and will be escorted into secured areas. The Community room will be located near the main entry lobby.

Facility Estimated Size Requirements = 24,000 square feet

- Includes Patrol, SAFFE, Property Crimes, CRT

Parking

- Estimated 145 Vehicles
- 8 Foot Fence with privacy slats
- Access Controls at Gate
- Similar to PSAP Gates
- Marked Units w/Wi-Fi access
- Lieutenant and Captain's spaces at separate area next to building w/assigned spaces
- Public spaces including ADA at front of building
- Sworn spaces at back or side
- Marked and Unmarked Units, as well as ADA adjacent to the building
- POVs at back or side of parking lot
- Recorded Interview rooms with STC 45 Rated Walls (Recording Room and Deaf Link nearby)
- Install Security Gates with Access Controls similar to the PSAP
- Electronic locking / unlocking on all exterior and some interior doors with timer functions
- Access controls installed on doors and in elevator
- Ice Machine at Sworn Entry Portico / Overhang
- Locker Rooms
- Public Restroom at Lobby
- Private Restrooms at Sworn (two if two story)
- Secured Lobby w/ service agent and magnetometer
- 2-way intercom for lobby personnel
- Ballistic proof lobby protection and service desk, including any glass and metal panel at walls(Level 3)
- Ballistic proof walls (hardened) between public and sworn areas
- Fitness Room with Gym Equipment
- Fitness Room Needs A/C controls, Rubber Mat Flooring
- Drinking Fountain in Fitness Rooms
- Brick or CMU at Exterior Walls
- CMU or Hardened GWB at Private / /Sworn Division
- Underground Utilities to service the Building
- Use environmental design standards to enhance building security

III. TENTATIVE SCHEDULE FOR SELECTION PROCESS AND AWARD

Pre-Submittal Conference	February 10, 2020
Deadline for Submission of Written Questions	February 21, 2020
Phase I Qualifications Responses due	March 11, 2020
Phase II RFP to Short-Listed Firms and Interview	May 2020

IV. PRE-SUBMITTAL CONFERENCE

A Pre-Submittal Conference is scheduled to be held **Monday, February 10, 2020 at 10:00 A.M.** in the San Antonio Main Library Conference Room located at 600 Soledad Street, San Antonio, Texas 78205. Attendance at the Pre-Submittal Conference is strongly encouraged. At this meeting, City staff will discuss the scope of work, general contract issues and respond to questions from the attendees.

It is strongly recommended that interested firms send a representative to the Pre-Submittal Conference. Questions Respondents are encouraged to prepare and submit their questions in writing three (3) calendar days in advance of the Pre-Submittal Conference in order to expedite the proceedings. Questions are to be submitted through CivCast.

City's responses to questions received by this due date may be discussed at the Pre-Submittal Conference, as well as being posted on the CivCast website at <https://www.civcastusa.com/bids>.

Any oral responses provided by City staff at the Pre-Submittal Conference shall be preliminary and nonbinding. A written summary of the Pre-Submittal Conference shall contain official responses, if any. Only written responses shall be official and all other forms of communication with any officer, employee or agent of the City shall not be binding on the City.

V. SUBMITTAL DOCUMENT REQUIREMENTS AND EVALUATION CRITERIA

City shall conduct a comprehensive, fair and impartial evaluation of all submittals received in response to this RFQ. City may appoint a selection committee to perform the evaluation. Each submittal shall be analyzed to determine overall responsiveness and qualifications under the RFQ. Respondents shall be aware City may select some, all or none of the submitting Respondents to perform the scope of work outlined in this RFQ. If City elects to conduct interviews following its evaluation of the submittals received, selected Respondent(s) shall be interviewed and re-scored, based upon these same criteria or additional criteria to be determined by the selection committee.

For the Statement of Qualifications Submittal:

Respondent shall provide information or response to the following items as it relates to Section II, Project Description/Scope of Work and Respondent's submittal shall include the following items in the following sequence:

- 1. SUBMITTAL CHECKLIST AND TABLE OF CONTENTS (Form #1) (Indexed and labeled as "Tab 1")** – Respondent shall complete this form, which shall be used as the Table of Contents and as a checklist for Respondent's submittal.
- 2. EXECUTIVE SUMMARY (Indexed and labeled as "Tab 2")** – Respondent shall include a one (1) page Executive Summary at the beginning of the Statement of Qualifications. Respondent's Executive Summary shall state the number of years Respondent's team has been in business, Respondent's number of years in business in its local office, Respondent's local office address and the number of employees employed in Respondent's local office.

3. **CONTRACT TEMPLATE AND GENERAL CONDITIONS REVIEW (Indexed and labeled as “Tab 3”)** – Respondent shall review the Contract Template and its General Conditions, provided hereto and made a part hereof and labeled as RFQ Exhibit B and C, and provide written comments and/or concerns regarding the Contract and General Conditions. If Respondent does not have any comments and/or concerns, Respondent shall indicate this in this Tab 3. If no objections are submitted by the Respondent, City and Respondent agree Respondent shall sign the Contract as presented, if a contract is awarded.
4. **LETTERS OF REFERENCE (required) (Indexed and labeled as “Tab 4”)** – Respondent shall provide a maximum of five (5) letters of reference.
5. **STATEMENT OF QUALIFICATIONS** – Respondent shall provide a narrative document, as outlined in the **Statement of Qualifications** below, addressing all evaluation criteria in **Section II. Project Description/Scope of Services** of this RFQ considering the project. Sufficient information regarding Respondent’s past projects and key personnel’s experience shall be provided in Respondent’s submittal to indicate its team has met or exceeded the minimum qualifications provided in **Section II** of this RFQ in submittal.
- A. **Experience, Background and Qualifications of Design Build Firm, Key Personnel, Key Sub-Consultants (35 Points)**

Respondent shall respond to the following items as they relate to **Section II. Project Description/Scope of Services** considering the project:

1. **Experience (Indexed and Labeled as “Tab 5”)** – City shall consider the relevance of past experience for all parties proposed as a part of Respondent’s team. Respondent shall provide a narrative, in four (4) pages or less, describing the team’s qualifications, as they relate to the Project’s scope in this RFQ. Respondent’s submittal shall include how the proposed team has worked together on past similar projects and shall include the number of projects worked on as a team. For any Sub-Consultants listed as part of Respondent’s team, Respondent shall include information on how those named Sub-Consultants shall function within the team’s organization. In addition, Respondent shall provide a narrative description of the proposed roles of Respondent and each Sub-Consultant, to include assignments, roles and responsibilities, lines of authority and communication among all team members.
2. **Project Sheets (Indexed and Labeled as “Tab 6”)** – Respondent’s submittal shall include, at maximum, four (4) project sheets, limited to one (1) page for each project, describing similar projects Respondent has completed within the last ten (10) years, and shows the most relevant work experience for this project. Respondent may also submit one (1) additional project sheet showcasing a project of which they are particularly proud. Each project sheet shall include, at minimum, the following:
 - a. Name and Description of the project, including similarity to the scope of work in this RFQ
 - b. Year of project
 - c. Respondent’s role in the project
 - d. Project Designer
 - e. Design and/or Construction Project Manager(s)
 - f. Project’s original and final construction contract amounts (explain inconsistencies)

- g. Project's proposed completion date and actual completion date achieved (explain inconsistencies)
- h. Project owner's name and the name of the representative (if different) who served as the day-to-day liaison for the project in the following format:

- Name of Owner
- Name of Owner's representative
- Representative's Phone Number
- Representative's E-mail
- Name of the Prime Firm and key Sub-Consultants and Subcontractors, including S/M/WBE status

3. **Proposed Key Personnel/Organizational Chart (Indexed and Labeled as "Tab 7")** – Respondent shall provide a detailed organizational chart of the Design Build team, identifying key personnel committed to working on the various tasks of this contract. Respondent's proposed key personnel shall include a Licensed Engineer/Architect with demonstrated experience in San Antonio or the South Texas Region with the activities normally associated with the scope of work listed.

Label key personnel assignments as:

- Proposed DB Team Project Manager;
- Proposed A/E Project Manager(s);
- Proposed Construction Project Manager;
- Proposed Project Architect;
- Proposed Project Designer
- Proposed Engineering Project Manager(s) (Civil, Structural, MEP, Acoustical, Security)
- Proposed Project Cost Estimator
- Proposed Construction Superintendent
- Proposed Quality Control Manager (Design);
- Proposed Quality Control Manager (construction);
- Proposed Police Facility Design Expert;

4. **Resumes (Indexed and Labeled as "Tab 8")** – Respondent shall submit one-page resumes for all its key team members. Resumes should link to project sheets and also may include additional previously-completed relevant projects not highlighted in the project sheets. Resumes also shall include:

- a. License type (if applicable) and number of years licensed
- b. Number of years employed with the Firm
- c. Number of years of experience in proposed role corresponding to the assignments included in the organizational chart
- d. City of residence
- e. Education

B. Experience with issues in the San Antonio Region & past experience with the City of San Antonio (10 Points) (Indexed and Labeled as “Tab 9”)

City is interested in evaluating Respondent’s and Respondent’s key Sub-Consultants’ experience with San Antonio issues, as may be evidenced by work in San Antonio and the surrounding area, during the past five (5) years. In narrative form, using a maximum of two (2) pages, briefly describe Respondent’s and its team’s experience in the following areas, referencing projects relating to that experience. (Note: you may reference projects included in the project sheets under **Criteria A** above or include other projects, but no additional project sheets shall be provided for this criteria.)

1. Local environmental conditions and constraints
2. Local area construction costs and practices
3. Respondent’s experience with private and public utilities within the San Antonio or surrounding area
4. Building code requirements
5. City of San Antonio Facility Design Standards and Guidelines (FDGS) (found on-line at: <https://tinyurl.com/CoSA-FDGS>)
6. Respondent’s experience with public organization(s) within the San Antonio and/or surrounding area

Note that a portion of the scoring for this Section B may be based on City’s Consultants’ Scorecard, experience with City projects and/or other documentation generated by City staff and previous City Consultants on other City projects. City shall consider the history of Respondent in complying with project programs, schedules and budgets on previous City projects. No items shall be submitted by Respondent for this criterion. Specific items used for consideration may include, but are not limited to:

1. Timely completion of City projects
2. Cooperative working relationship with City
3. Prompt payment of Sub-Consultants at all levels
4. Compliance with other City contract terms
5. Compliance with City Ordinances on substitution/addition/deletion of Sub-Consultants
6. Provision of contracting opportunities for S/M/WBES
7. Compliance with City standards
8. Conformance to City budget requirements

C. Understanding of the Project and Proposed Management Plan (20 Points)

Respondent shall describe its understanding of the Project and specific issues and challenges likely to be involved, as well as the availability of labor resources (Respondent’s capacity to perform) in executing the defined scope of work. Respondent shall submit information in a brief narrative, clearly and concisely describing the challenges it foresees and its approach to addressing these challenges.

Proposed Management Plan

This information shall include the firm’s proposed organizational and management structure, as well as the availability of labor resources (capacity to perform) in executing the firm’s effort. The firm shall

submit information in a brief narrative that clearly and concisely describes the organization and approach to project regarding the information below:

1. Design Management (Indexed and Labeled as Tab “10”)

Limit responses to the following items to 3 pages:

- a. Describe your team’s project management approach and organization for the provision of the services outlined in this RFQ.
- b. Describe Team’s Quality Control/Quality Assurance processes, approach and capabilities to maintain the quality of the design.
- c. Describe your approach to assuring timely completion of designs, including methods for schedule recovery, if necessary.
- d. Describe your teams experience with and approach to sustainability.
- e. Describe your cost management methodology.

2. Construction Management (Indexed and Labeled as Tab “11”)

Limit responses to the following items to 3 pages:

- a. Describe your team’s Quality Control Processes, approach and capabilities to maintain quality of the construction.
- b. Describe your construction approach and ability to coordinate work with all stakeholders.
- c. Describe your cost management methodology.
- d. Describe your approach to construction documents and bid phase management.
- e. Describe your mechanism to track and respond to contractor requests for information, submittals, review of change orders, coordinating construction progress meetings with the contractor, preparing and distributing meeting minutes, reviewing contractor schedules, and other construction phase services.
- f. Describe Team’s Schedule control process for meeting critical milestones and keeping the project on track including your firms method of recovery.

3. Technologies and Communications (Indexed and Labeled as Tab “12”)

Limit responses to the following items to 1 page:

- a. Describe your approach to **Design and Construction Information Technologies**. Describe how the design-build team will utilize information technologies such as CADD, 3D software, presentation software, budgeting and, scheduling software and/or other technologies or processes to assist the Owner to understand the project as well as to improve project quality and timely delivery, within budget.
- b. Address your approach to **Information, Communications, and Close-out Documentation Management**. List and describe the processes and tools that the design-build team will utilize to collect, utilize, maintain, and improve project documents, reviews, and communications during design and construction. Describe the design-build team’s processes and tools that will

be used to quickly and effectively complete close-out documentation and provide a close-out documentation package that supports ease of use by maintenance and operations personnel.

D. DB Team’s past experience working together as a team (15 Points) (Indexed and Labeled as Tab “13”)

Please list the projects and timeframe for which respondents proposed DB team has worked together on similar projects.

In narrative form, using a maximum of two (2) pages, briefly describe relevant projects on which respondents proposed DB team has worked together. (Note: you may reference projects included in the project sheets under **Criteria A** above or include other projects, but no additional project sheets shall be provided for this criteria). Please include the following:

- a. Name and Description of the project
- b. Project Owner
- c. Year of project
- d. Project’s original construction budget
- e. DB team structure and project approach

E. SBEDA Program

SBE Prime Contract Program – 10 pts.

Certified SBE firms (see *Small Business Enterprise* definition) headquartered or having a Significant Business Presence within the San Antonio Metropolitan Statistical Area responding to this solicitation as Prime CONTRACTORS proposing at least 51% SBE participation (Prime and/or Subcontractor) will receive ten **10** evaluation criteria points, **and**

M/WBE Prime Contract Program – 10 pts.

Certified M/WBE firms (see *Minority/Women Business Enterprise* definition) headquartered or having a Significant Business Presence within the San Antonio Metropolitan Statistical Area responding to this solicitation as Prime CONTRACTORS proposing at least 51% M/WBE participation (Prime and/or Subcontractor) will receive ten **10** evaluation criteria points.

No evaluation criteria points will be awarded to non-SBE or non-M/WBE Prime CONTRACTORS through subcontracting to certified SBE or M/WBE firms.

Evaluation Criteria for Phase I		Maximum Points
A.	Experience, Background and Qualifications of DB Firm, Key Personnel, Key Sub-Consultants	35 Points
B.	Experience with issues in the San Antonio Region & past experience with the City of San Antonio	10 Points
C.	Understanding of the Project and Proposed Management Plan	20 Points
D.	DB Team's past experience working together as a team	15 Points
E.	SBEDA Program	20 Points
TOTAL		100 Points

VI. PHASE II EVALUATION CRITERIA (INTERVIEWS), IF SELECTED

Based on the evaluation process of Phase I, the selection committee shall qualify a maximum of five (5) Respondents to participate in Phase II of the solicitation process. Phase II of the solicitation process shall include requests for additional information from the short-listed firms and shall include an invitation for an interview. Additional information requested may include more detailed information from Respondent regarding demonstrated competence and qualifications, the ability of Respondent to meet the Project schedule and other information, as appropriate. During the Phase II of the solicitation process, the selection committee will evaluate and rank the short-listed firms based on the published evaluation criteria set forth below:

Evaluation Criteria for Phase II		Maximum Points
A.	Proposed Design Plan	20 Points
B.	Proposed Construction Plan	20 Points
C.	Context Sensitive Design	10 Points
D.	Overall Evaluation of the Firm/Team and its Ability to Provide the Required Services	10 Points
E.	Proposed Fees for General Conditions/Overhead & Profit	20 Points
F.	SBEDA Program	20 Points
TOTAL		100 Points

Required Forms (to be uploaded in CivCast individually):

- 1. SUBMITTAL COVER/SIGNATURE PAGE (Form #2)** – Respondent shall include the completed Submittal Cover/Signature Sheet with the other required forms. The Submittal Cover/Signature Sheet shall be signed by a person (or persons) authorized to bind Respondent and the entity/entities submitting the response. Signature pages signed by a person other than an officer of the company or partner of the firm shall be accompanied by evidence of authority. Joint ventures submittals require signatures from all firms participating in the joint venture. Submitting joint ventures are required to provide legal proof of the

joint venture, such as a joint venture agreement.

2. **DISCRETIONARY CONTRACTS DISCLOSURE FORM (Form #3)** – Respondent shall complete the form online at: <https://www.sanantonio.gov/eforms/atty/ContractsDisclosureForm.pdf>, print a copy of the completed form and include in the packet of required forms. If Respondent is proposing as a team or joint venture, each party to that team or joint venture shall complete and submit a separate Discretionary Contracts Disclosure Form.
3. **LITIGATION DISCLOSURE FORM (Form #4)** – Respondent shall complete a Litigation Disclosure form, utilizing additional pages for explanation, if necessary, and submit the completed form. If Respondent is proposing as a team or joint venture, each party to that team or joint venture shall complete and submit a separate Litigation Disclosure Form.
4. **SMALL BUSINESS ECONOMIC DEVELOPMENT ADVOCACY UTILIZATION COMMITMENT FORM (Form #5)** – Respondent shall submit a completed and signed Sub-consultant Utilization Commitment Form indicating Respondent’s firm commits to satisfy the established **twenty-seven percent (27%)** goal to a Minority/Women Business Enterprise (M/WBE) and a goal of **three percent (3%)** of the contract value to a certified African American Business Enterprise (AABE) subcontracting goal for this Project. During the first phase of this solicitation, City will work with the consultant on obtaining aspirational goals. **Please note, failure to submit a completed signed Subcontractor/Supplier Utilization Commitment Form by the Prime will deem the response NON-RESPONSIVE.**
5. **PROOF OF INSURABILITY** – Respondent shall submit a copy of its current insurance certificate.
6. **CERTIFICATE OF INTERESTED PARTIES TEC FORM 1295** – Effective January 1, 2016, the City of San Antonio is required to comply with Texas Government Code, Chapter 2252, Subchapter Z, and Section 2252.908 (hereafter referred to as “the Code”). The Code states City shall not enter into a contract with a business entity unless and until the business entity has submitted a Certificate of Interested Parties (hereafter referred to as “Form 1295”) to City for filing with the Texas Ethics Commission (hereafter referred to as “TEC”). The Form 1295 requirement imposed upon the City applies to **all** contracts:
 - a. Having a value greater than \$50,000
 - b. Requiring San Antonio City Council approval and/or
 - c. Renewals, extensions or amendments requiring the approval of the San Antonio City Council.

TEC has made available on its website the new filing application that must be used by Respondent to file its Form 1295 with City. Respondent shall use TEC’s application to enter the required information on Form 1295 and print a copy of the form containing a unique certification number for that response.

An authorized agent of Respondent then must sign the printed copy of the form. The completed Form 1295 containing the unique certification number then must be submitted with Respondent’s submittal to City, pursuant to this solicitation, to ensure City and Respondent meet the Code requirements.

Form 1295 must be completed on-line by the business entity. It is accessible at:

https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm

As a result of this new requirement imposed upon City by the Code, City is requiring all Respondents submitting on each project to complete Form 1295, print a copy showing the unique Certification Number and Date Filed in the Certification of Filing box at the upper right corner of Form 1295 for that submittal, sign it, and submit it with its submitted proposal.

City shall review Form 1295 as part of the Minimum Requirements Review performed upon all proposals received. Deficiencies in or missing Form 1295 shall not be a disqualifying error. Instead, City shall notify a Respondent of any requirements to cure the deficiency and/or to submit/re-submit Form 1295 within two (2) days of notice to remain eligible to be considered for a contract award. City shall include the selected Respondent's Form 1295 in its package prepared for the San Antonio City Council's consideration for contract award.

VII. SUBMISSION INSTRUCTIONS

Online submission will be utilized via CivCast at <https://www.civcastusa.com/bids> . Online submission services will open on Wednesday, January 29, 2020 and close on Wednesday, March 11, 2020 at 10:00 A.M. CST.

Follow submittal instructions on <https://www.civcastusa.com/> . Hard Copies, facsimile or email will not be accepted.

Please adhere to the following criteria:

- No smaller than 11 point font.
- Be succinct and clear.
- Keep your submittal relevant to the project.
- Each submittal shall include the sections and attachments in the sequence listed in the RFQ **Section V**, Submittal Document Requirements & Evaluation Criteria, with each section divided by tabs and indexed, as indicated in this RFQ.
- All pages shall be numbered and all sections shall adhere to page limits. If a section does not have a page limit specified; there are no page limits for that section.
- Pages which have project photos, charts and graphs shall be counted towards the maximum number of pages.
- Front and back covers, Table of Contents pages and tabbed divider pages shall not be counted if they do not contain submittal information.

To correctly submit a response to this RFQ, Respondent shall reveal, disclose and state the true and correct name of the individual, proprietorship, corporation and/or partnership (clearly identifying the responsible general partner and all other partners who would be associated with the contract, if any) submitting the response. The true and correct name shall comport exactly with the corporate and franchise records of the Texas Secretary of State and Texas Comptroller of Public Accounts. Individuals and proprietorships, if operating under other than an individual name, shall match with exact Assumed Name

filings. Corporate Respondents and limited liability company Respondents shall include the 11-digit Comptroller's Taxpayer Number on the signature page of the Proposal.

VIII. AMENDMENTS TO RFQ

Changes, amendments or written responses to questions received, in compliance with Section VIII, Restriction on Communication below, may be posted on the CivCast website at:

<https://www.civcastusa.com/> .

It is Respondent's responsibility to review this website and ascertain whether any amendments have been made to this RFQ, prior to Respondent's submission of a proposal. If Respondent does not have access to the Internet, Respondent shall notify City, in accordance with **Section VIII, Restrictions on Communication** below, Respondent wishes to receive copies of changes, amendments or written responses to questions by mail or facsimile.

No oral statement of any person shall modify or otherwise change or affect the terms, conditions or specifications stated in the RFQ and changes to the RFQ – if any – shall be made only in writing.

IX. RESTRICTION ON COMMUNICATIONS

Respondent is prohibited from communicating with elected City officials and their staffs regarding this RFQ or Respondent's proposal from the time this RFQ has been released until the contract is posted as a City Council agenda item. A person or entity who seeks or applies for a City contract, or any other person acting on behalf of such person or entity, is prohibited from contacting City Officials and/or employees, regarding such a contract after a request for proposal (RFP), request for qualification (RFQ), request for competitive sealed proposals (RFCSP) or other discretionary solicitation has been released. This no-contact provision shall conclude when the contract is posted as a City Council agenda item. If a contact is required with City Officials and/or employees, such contact shall be done in accordance with procedures incorporated into the solicitation document. Violation of this provision by Respondents or their agents may lead to disqualification of their offer from consideration. As used herein, City Official is defined as the Mayor; members of City Council; Municipal Court Judges and Magistrates; City Manager; Deputy City Manager; City Clerk; Deputy City Clerk; Assistant City Clerk; Assistant City Managers; Assistants to City Manager; all City department heads and assistant department heads; Internal Auditor and Assistant Internal Auditors; Compliance Auditor; Assistant to City Council; Assistants to City Council, including contract personnel; Assistant to Mayor; Assistants to the Mayor, including contract personnel; Executive Secretaries; Public Utilities Supervisor; members of bid committees; members of the Historic and Design Review Commission; Zoning Commission; and members of any board or commission that is more than advisory in nature.

These restrictions on communications extend to "thank you" letters, phone calls, emails and all other contact that results in the direct or indirect discussion of this RFQ and/or proposal submitted by Respondent. Violation of this provision by Respondent and/or its agent may lead to disqualification of Respondent's proposal from consideration.

Exceptions to the restrictions on communication with City employees include:

1. Respondent may ask verbal questions concerning this RFQ at the Project's Pre-Submittal Conference.
2. Respondent is required to submit questions concerning this RFQ through the CivCast website at <https://www.civcastusa.com/bids> until **4:00 PM (Local Time), February 21, 2020**. Questions received after the stated deadline shall not be answered.

Questions should be sent to the CivCast website at:

<https://www.civcastusa.com/bids>

3. Respondents and/or their agents are encouraged to contact the Small Business Office of the Economic Development Department for assistance or clarification with issues specifically related to the City's Small Business Economic Development Advocacy (SBEDA) Program policy and/or completion of the required SBEDA forms. The point of contact may be reached by telephone at (210) 207-3910 or by e-mail at SBEDAdocs@sanantonio.gov. *This exception to the restriction on communication does not apply, and there is no contact permitted to the Small Business Office regarding this solicitation, after the solicitation closing date.*
4. Respondent shall provide responses to any questions asked of it by City's Staff Contact Person and/or his/her designee about City's SBEDA Program both before and after responses are received and opened. During the interview stage of this selection, if any, verbal questions to Respondent and Respondent's answers and explanations shall be permitted. If interviews are conducted, Respondent shall not bring lobbyists. City reserves the right to exclude any persons from such selection committee meetings/interviews as it deems in City's best interests.

X. AWARD OF CONTRACT AND RESERVATION OF RIGHTS

City reserves the right to award one, more than one or no contract(s) in response to this RFQ.

1. A contract or contracts, if awarded, shall be awarded to the selected Respondent(s) whose submittal(s) is/are deemed most advantageous to City, as determined by the selection committee and upon approval by City Council.
2. City may accept any submittal in whole or in part. If subsequent negotiations are conducted, those negotiations shall not constitute a rejection or alternate RFQ on the part of City. However, final selection of a Respondent is subject to City Council approval.
3. City reserves the right to accept one or more submittals or reject any or all submittals received in response to this RFQ and to waive informalities and irregularities in the proposals received. City also reserves the right to terminate this RFQ, reissue a subsequent solicitation and/or remedy technical errors in the RFQ process.
4. City shall require the selected Respondent(s) to execute a contract with City in substantially the same form as the one attached (Exhibit A), prior to City Council award. No work shall commence until City signs the contract document(s) and Respondent provides the necessary evidence of bonds and insurance as required in this RFQ and the contract. Contract documents are not binding until approved by the San Antonio City Attorney's office. In the event the parties cannot negotiate and execute a contract within the time specified by City, City reserves the right to terminate negotiations with that selected Respondent and commence negotiations with another Respondent.

5. This RFQ does not commit City to enter into a contract or award any services related to this RFQ, nor does it obligate City to pay any costs incurred in preparation or submission of a response or in anticipation of a contract.
6. City administers its design and construction management through an internet-based project management system. All vendors shall be required to use City's internet-based system and submit Project schedules.
7. Conflicts of Interest: Respondent acknowledges it is informed that the Charter of City of San Antonio and its Ethics Code prohibit a City officer or employee, as those terms are defined in the Ethics Code, from having a financial interest in any contract with City or any City agency, such as City-owned utilities. An officer or employee has a "prohibited financial interest" in a contract with City or in the sale to City of land, materials, supplies or service, if any of the following individual(s) or entities is a party to the contract or sale: City officer or employee; his parent, child or spouse; a business entity in which he or his parent, child or spouse owns ten percent or more of the voting stock or shares of the business entity, or ten percent or more of the fair market value of the business entity; or a business entity in which any individual or entity above listed is a Sub-Consultant on a City contract, a partner or a parent or subsidiary business entity.
8. Respondent is required to warrant and certify it, its officers, employees and agents neither are officials nor employees of City, as defined in Section 2-42 of City's Ethics Code. (Discretionary Contracts Disclosure) – Instructions and web-link to electronic form are included in Form 4 of RFQ.
9. Independent Contractor: Respondent agrees and understands, if selected, it and all persons designated by it to provide services in connection with a contract, is, are and shall be deemed to be an independent contractor(s), is/are responsible for its/their respective acts or omissions, City shall in no way be responsible for Respondent's actions and none of the parties hereto shall have the authority to bind the other(s) or to hold out to third parties it/they has/have such authority.
10. Effective January 1, 2006, Chapter 176 of the Texas Local Government Code requires persons or their agents, who seek to contract for the sale or purchase of property, goods or services with City, shall file a completed conflict of interest questionnaire with City Clerk not later than the seventh (7th) business day after the date the person:
 - a. Begins contract discussions or negotiations with City; or
 - b. Submits to City an application, response to a request for proposals or bids, correspondence or other writing related to a potential agreement with City. The conflict of interest questionnaire form is available from the Texas Ethics Commission by accessing either of the following web addresses:

http://www.ethics.state.tx.us/whatsnew/conflict_forms.htm

or

<http://www.sanantonio.gov/atty/ethics/pdf/OCC-CIQ-Addendum.pdf>

Completed conflict of interest questionnaires may be mailed or delivered by hand to the Office of San Antonio City Clerk. If mailing a completed conflict of interest questionnaire, mail to:

Office of City Clerk
P.O. Box 839966
San Antonio, TX 78283-3966.

If delivering a completed conflict of interest questionnaire, deliver to:

Office of City Clerk
San Antonio City Hall
100 Military Plaza, 1st Floor
San Antonio, TX 78205

Respondent should consult its own legal advisor with questions regarding the statute or form.

11. All submittals become the property of City upon receipt and shall not be returned. Any information deemed to be confidential by Respondent should clearly be noted on the page(s) where confidential information is contained; however, City cannot guarantee it will not be compelled to disclose all or part of any public record under the Texas Public Information Act, since information deemed to be confidential by Respondent may not be considered confidential under Texas law or pursuant to a Court order.
12. Any cost or expense incurred by Respondent associated with the preparation of its submittal, attendance at the Pre-Submittal Conference, if any, or incurred during any phase of the selection process shall be borne solely by Respondent.
13. **Solicitation Process Review:** If Respondent desires a review of the solicitation process, Respondent shall deliver a written request to the Director of TCI within seven (7) calendar days from the date the notice of non-selection was sent. When the TCI Director receives a timely written request, the TCI Director or his/her designee shall review Respondent's concerns and the solicitation process utilized for legitimacy and procedural correctness. After performing a full review, the TCI Director shall notify Respondent in writing of his/her determination of the solicitation process utilized.
14. **Debriefings:** In an effort to improve solicitation responses, TCI is making available on its website a "Solicitation Response Tip List" that includes the top common items that "make or break" submissions. Providing this information, prior to the due date of the submittal, provides Respondent an opportunity to develop a better response for each solicitation. As a result of this up-front effort, each Respondent is entitled to one (1) debriefing per calendar year after the San Antonio City Council has made an award of a contract on a project if:
 - a. Respondent is not the selected Respondent for the project; and
 - b. Respondent has not been debriefed since January 1, 2020.Once a firm has been debriefed, it shall not be eligible for future debriefings within that calendar year. A Respondent meeting the above criteria desiring an individual submittal debriefing shall deliver a written request to the TCI Contract Services Division within seven (7) calendar days from the date a notice of non-selection was sent.
15. City reserves the right to verify any and all information submitted by Respondents at any time of the solicitation/evaluation process.
16. Final approval of a selected firm(s) is subject to the action of the San Antonio City Council.
17. City reserves the right to contact any Respondent to negotiate a contract, if such contact is deemed desirable by City.

18. TEXAS GOVERNMENT CODE §2270.002

Texas Government Code §2270.002 provides that a governmental entity may not enter into a contract with a company for goods or services, unless the contract contains a written verification from the company that it:

- (1) does not boycott Israel; and
- (2) will not boycott Israel during the term of the contract.

18.1 "Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.

18.2 "Company" means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or business associations that exists to make a profit.

By submitting an offer to or executing contract documents with the City of San Antonio, Company hereby verifies that it does not boycott Israel, and will not boycott Israel during the term of the contract. City hereby relies on Company's verification. If affirmation is found to be false, City may terminate the contract for material breach.

TEXAS GOVERNMENT CODE § 2252.152 CONTRACTS WITH COMPANIES ENGAGED IN BUSINESS WITH IRAN, SUDAN, OR FOREIGN TERRORIST ORGANIZATION PROHIBITED.

Texas Government Code §2252.152 provides that a governmental entity may not enter into a governmental contract with a company that is identified on a list prepared and maintained under Texas Government Code §2270.0201 or §2252.153 "Listed Companies". Consultant/Contractor hereby certifies that it is not identified on such a list and that it will notify City should it be placed on such a list while under contract with City. City hereby relies on Consultant's/Contractor's certification. If found to be false, or if Consultant/Contractor is identified on such list during the course of its contract with City, City may terminate this Agreement for material breach.