



REQUEST FOR QUALIFICATIONS (RFQ)

On-Call General Engineering Consulting Services RFQ: #2024-118

Release Date: September 13, 2024
Proposals Due: October 28, 2024, at 10:00 AM Central Time (CT)

This solicitation has been identified as High-Profile.

PROHIBITED CAMPAIGN CONTRIBUTIONS

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 that contributes to City Council elections beginning on the *10th business day after a contract solicitation has been released through the 30th calendar day following the approval by City Council ("blackout" period):

- (1) Any individual seeking a high-profile contract;
- (2) Any owner, officer, officer of board, and executive committee member of an entity seeking a high-profile contract, excluding board officers and executive committee members of 501 (c)(3), 501(c)(4) and 501 (c)(6) non-profit organizations not created or controlled by the City whose board service is done strictly as a volunteer with no financial compensation and no economic gain from the non-profit entity;
- (3) The legal signatory of the high-profile contract;
- (4) Any attorney, lobbyist or consultant hired or retained to assist the individual or entity in seeking a high-profile contract;
- (5) Subcontractors hired or retained to provide services under the high-profile contract; and
- (6) Any first-degree member of the household of any person listed in (1), (2), (3) or (5) of this subsection.

A high-profile contract cannot be awarded to the individual or entity if a prohibited contribution was made by any of these individuals during the "blackout" period.

For this solicitation, the first-day contributions are prohibited is **Friday, September 27, 2024.
The first day contributions may be made is the 31st day after the contract is approved at a City Council "A" Session.*

RESTRICTIONS ON COMMUNICATIONS

In accordance with and as authorized by Section 2-61 of the City Code, the following restrictions on communications apply to this solicitation: Respondents are prohibited from contacting 1) City officials, as defined by §2-62 of the City Code of the City of San Antonio, regarding the RFQ or submittal from the time the RFQ has been released until the contract is posted for consideration as an agenda item during a meeting designated as an A session; and 2) City employees from the time the RFQ has been released until the contract is approved at a City Council "A" session.

Restrictions extend to "thank you" letters, phone calls, emails and any contact that results in the direct or indirect discussion of the RFQ and/or proposal submitted by Respondent.

Violation of this provision by Respondent and/or its agent may lead to disqualification of Respondent's submittal from consideration.

For additional information, see the section of this RFQ entitled "Restrictions on Communication".

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On-Call General Engineering Consulting Services
RFQ: #2024-118

I. BACKGROUND

The City of San Antonio (City), Aviation Department (Department) is issuing a Request for Qualifications (RFQ) seeking Statement of Qualifications (SOQ) from qualified firms (Respondents) to provide Airport General Engineering Consultant (GEC) services to the Aviation Department as needed for various Aviation projects at both the San Antonio International Airport (SAT) and Stinson Municipal Airport (SSF), which together form the San Antonio Airport System (SAAS).

The SAAS intends to award up to two (2) contracts based on scoring by a selections committee, as a result of this RFQ. The base contract term will be an initial base period of three (3) years in the amount not to exceed \$6,000,000. At City's option, this Contract may be renewed annually under the same terms and conditions for up to two (2), one (1) year extensions at \$2,000,000 per extension, for a total amount not to exceed \$10,000,000 per contract. It is anticipated that the collective contracts will have a not to exceed amount of \$20,000,000 including all possible contract years.

A. HISTORY

The City recently completed SAT's Strategic Development Plan, also known as its Master Plan. Based on current and future growth demands, SAAS has identified a need for the development of additional facilities and expansion of existing facilities at SAT to handle the aircraft and passengers departing to and arriving from, domestic and international destinations on scheduled and chartered flights.

An Airport Capital Improvement Plan (ACIP) is developed annually in partnership with the Federal Aviation Administration (FAA) incorporating these plans and new airfield data. The ACIP has been incorporated into the City's 6-year Capital Budget. Additionally, projects identified in the SSF Master Plan update are incorporated into the City's 6-year Capital Budget.

B. PURPOSE AND INTENT

The Department's intent is to gain timely access to comprehensive airport planning, engineering, architectural, and project/construction management consulting services on an as needed basis by entering into one or more On-Call Professional Services Agreement(s) (PSAs) with qualified, selected Respondents. It is the intent to utilize these professional services to assist with the implementation and execution of the Department's Capital Improvement Program (CIP), continued assist with the Terminal Development Program (TDP) and Operation & Maintenance projects.

The Department's goal in soliciting for GECs is to meet the SAAS's needs by contracting with firms that possess specialized National and International Aviation expertise and knowledge of Aviation Industry Best Practices.

Several ACIP projects are directly dependent upon potential future FAA Airport Improvement Program (AIP) funding. The projects' timelines, as reflected in the ACIP, may accelerate, or be extended due to actual funding levels. The GEC will assist the Department to develop construction contract packaging to provide maximum flexibility in accommodating varying funding levels.

C. MINIMUM QUALIFICATIONS

The Respondent shall assemble a multi-disciplinary team experienced with a variety of projects in a complex airport operations environment. The successful Respondent shall be required to demonstrate the ability and resources necessary to perform the scope of services requested.

At a minimum, the Respondent's Prime must:

- have demonstrated experience with FAA and Passenger Facility Charge (PFC) funded multi-year airport projects
- have demonstrated experience managing large multi-disciplinary teams
- propose a Program Manager who shall be assigned to manage all work under the on-call agreement for the duration of the term of the contract and who has Aviation industry experience at a commercial, international airport

At a minimum, the Respondent Teams (including sub-contractors) must have:

- strong airport planning, engineering, architectural, construction management and administration, resident project inspection, project management, and airport operations experience
- extensive experience working with current FAA Advisory Circulars (AC) and other guidance and regulatory documents
- demonstrated ability to manage projects and meet deadlines on multiple, concurrent large and small projects

D. PREFERRED QUALIFICATIONS

The preferred Respondent Prime will have:

- considerable Aviation/airport industry expertise
- experience performing similar work for the City of San Antonio (either the Aviation Department or other City of San Antonio departments)
- experience specific to strong lead and management capabilities required to manage a range of project sizes and complexity

The preferred Respondent Team (including subcontractors) will:

- be multi-disciplined and have the ability to respond to a wide variety of requests within the team
- possess enough redundancy to cover simultaneous project activities while still targeting the best qualifications for each project
- have airfield pavement valuation and design expertise
- have demonstrated experience with Texas Department of Transportation (TxDOT) Aviation airport projects

II. SCOPE OF WORK AND GENERAL REQUIREMENTS

All services and/or phases of assigned projects will require close interaction and coordination with the Department, airport tenants and other stakeholders, other City departments, external agencies, and local and regional FAA offices as required. Respondent will be responsible for compliance with all applicable FAA ACs, Orders, and other airport and regulatory guidance documents as well as all federal, state, and local laws. Depending upon the projects assigned, the scope of services may include but is not limited to:

A. PLANNING SERVICES

The selected respondent(s) will perform planning services that may include:

Assistance with airport planning, general planning, land use studies and other analysis, including programming studies, facility/terminal assessments and/or analysis, airfield, airspace, terminal, landside, support facilities, and ground transportation analysis and modelling, economic and/or financial analysis, and cost/benefit analysis; and research on state/federal funding options/opportunities; preparation of independent cost/fee estimates (IFE); and planning and programming for grant funding and ACIP and FAA Overall Development Objectives (ODO) Forms.

Airport Master Plan Updates and any sub-component such as Terminal Area Forecasts (TAFs), Airport Geographical Information System (AGIS)/Airport Data and Information Portal (ADIP) updates, Site

Selections, environmental analysis, compliance and documentation, various airfield analysis, Section 163 determinations, National Environmental Policy Act (NEPA) studies to include environmental assessments (EAs), and Part 150 Noise Compatibility Updates and/or Noise Exposure Map (NEM) Updates.

B. ARCHITECTURAL/ENGINEERING DESIGN SERVICES

The selected Respondent(s) will provide design and bid phase services resulting in contract documentation suitable for bidding and awarding a construction contract in accordance with FAA, State, and City standards. Respondent(s) will further aid the Department in determining the appropriate construction delivery method such as Construction Manager at Risk, Competitive Sealed Proposal, Job Order Contracting, Design-Build, or Invitation for Bid. The selected Respondent(s) will maximize scope and quality within the established schedule and budget for a variety of projects.

The selected Respondent(s) will perform site investigations to include but not be limited to geotechnical and environmental investigations, surveys that may include mapping underground features and establishing horizontal and vertical control points, airfield/roadway pavement evaluations, and review of existing record documents. All surveys performed must tie to existing benchmarks. Additionally, Respondent(s) will perform feasibility and vehicle traffic analyses, project and/or facility assessments and programming, and will prepare cost estimates and schedules.

The selected Respondent(s) will incorporate the Airport's Safety Management System (SMS) program into the project by following the SMS process at major submittal milestones or as otherwise applicable in evaluating design and construction phasing and sequencing alternatives.

The selected respondent(s) must develop a Building Information Modeling (BIM) Execution Plan aligned with Aviation's standards, detailing BIM processes, data exchange protocols, roles, modeling requirements, and quality controls. This plan ensures efficient collaboration and data management throughout the project. Project information must be delivered in Construction Operations Building Information Exchange (COBie) format for operational use, guided by the E201 American Institute of Architects (AIA) Document for standardized data exchange. Alignment with Aviation Geographic Information System (GIS) initiatives are also required for effective geographical data integration.

C. CONSTRUCTION MANAGEMENT SERVICES

The selected Respondent(s) will provide construction management services including but not limited to overseeing construction progress meetings, performing constructability reviews, reviewing contractor Quality Assurance/Quality Control (QA/QC) and safety plans, reviewing pay estimates, and performing project closeout activities.

The selected Respondent(s) will provide construction administration services through completion of each assigned project. These services will include but is not limited to preparing meeting minutes, maintaining shop drawings and submittal logs; responding to Requests for Information (RFIs) and maintaining the RFI Log; preparing and processing change orders, including review, cost/price analysis, negotiation, and recommendation on change order requests made by construction contractor(s), and issue Non-conformance reports when necessary.

The selected Respondent(s) shall prepare as-built drawings in hard copy, electronic (PDF, AutoCAD, Revit), and other required formats (AGIS/GIS, MicroPaver) in accordance with the BIM Execution Plan and data management protocols established for the project. The Respondent(s) will deliver a comprehensive as-built Building Information Model containing all relevant data captured during construction, including equipment, product, and asset information in the COBie format. Additionally, the Respondent(s) will prepare a final test and quality control report, perform final and warranty inspections with published punch-lists and acceptance letters. If required, the Respondent(s) shall perform commissioning and/or turnover activities, assist in obtaining the temporary/permanent Certificate of Occupancy, conduct accessibility reviews in compliance

with Texas Department of Licensing and Regulation and Americans with Disabilities Act requirements, and provide other supporting project documentations specified in the BIM Execution Plan and project requirements.

If required, the selected Respondent(s) will provide a Resident Project Representative (RPR) and/or dedicated Resident Inspection Services (RIS), observe the project sites through final completion, serve as engineer's liaison, observe and review tests, and provide general observation and assessment of work based on the selected Respondent's professional judgment to ensure that the completed work conforms to the construction contract documents. Depending on the assigned project, the RPR may be required to be dedicated, onsite, certified, and/or licensed, and be responsible for overseeing the RIS.

D. PROJECT MANAGEMENT SERVICES

The selected Respondent(s) will provide project management services to include constructability reviews, independent design reviews, independent cost and/or fee analysis, as well as feasibility and benefit cost analysis studies.

The selected Respondent(s) will provide program support services such as developing overall construction contract sequencing and packaging strategies, document control management systems, project control services, design and airport standards, and policies and procedures. The selected Respondent(s) will also be responsible for developing, analyzing, monitoring project and program schedules at various levels of detail as required.

The selected Respondent(s) will provide program-level budget, cost and trend management services that may include establishing a cost management system in alignment with, and supportive of, the City's budgeting and accounting requirements. Selected Respondent(s) will collect and present data from identified program projects; provide reports monthly, quarterly, annually, or at other intervals; prepare construction cost estimates, including concept, budgetary, and design estimates. Respondent will further review estimates provided by other agents and assist City in the development of supporting project data for use in securing various types of funding.

E. STAFF AUGMENTATION SERVICES

The selected Respondent(s) may provide personnel to augment City staff to directly support engineering and construction efforts, including but not limited to design and construction contract support services; project control services; assistance with program analysis and administration of best use of airport property and portfolio; assistance with grant funding, applications procedures and/or administration; financial program support; program and project management; and knowledge transfer to City of San Antonio staff.

Augmented staffing may include but not be limited to civil, electrical, and mechanical engineers, as well as architectural services. The City recognizes that within the life of this contract, new projects and programs will be established that require specific skills. Therefore, any requests for augmentation of staff will specify the exact skill set needed and will be coordinated with the respondent.

F. COORDINATION WITH OTHER CONSULTANTS

The successful Respondent must coordinate its services and activities with other consultants (under separate agreements with the City) who are performing services on other tasks, studies, and projects at SAT and/or SSF.

G. OTHER REQUIREMENTS

Personnel provided by selected Respondent(s) must be able to obtain proper Transportation Security Administration (hereafter referred to as "TSA") security clearances, to include the required background check

for airfield access. Selected Respondent(s) shall be responsible for either having all sub-consultants properly badged or providing escorts as needed to properly staff each project. Driving within the secured areas of the airfield will be necessary and will require an airfield driver's license. See Exhibit H - Procedures for Obtaining Airport Personnel Identification.

The selected Respondent(s) will be required to adhere to all terms and conditions in the City's Professional Services Agreement (Exhibit A). Additionally, the selected Respondent(s) will be required to comply with provisions of FAA 150/5100-14E "Architectural, Engineering, and Planning Consultant Services for Airport Grants Projects", or its most current version. This AC can be obtained through the internet at <http://www.faa.gov>. Note: Selected Respondent(s) and their sub-consultants must provide substantiation for labor, overhead and burden rates. To meet the overhead substantiation requirements, the selected Respondent(s) will be required to submit an audited overhead statement supported by the report of independent auditor that accompanied the audited overhead statement. Selected Respondent may also submit a recent DCAA (Defense Contract Audit Agency) audit or other governmental agency audit report in lieu of the audited overhead statement.

H. DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM REQUIREMENTS

It is the policy of the City that Disadvantaged Business Enterprises (DBEs) as defined under 49 CFR Part 26, shall have "equality of opportunity" to participate in the awarding of federally assisted Aviation Department contracts and related subcontracts, to include sub-tier subcontracts. This policy supports the position of the U.S. Department of Transportation (DOT) and the FAA in creating a level playing field and removing barriers by ensuring nondiscrimination in the award and administration of contracts financed in whole or in part with federal funds under this contract. Therefore, on all DOT or FAA-assisted projects the DBE program requirements of 49 CFR Part 26 apply to the agreement. A full program description and associated requirements are set forth in DBE Special Provisions and Requirements Exhibit D. The selected Respondent will be required to meet the DBE Program and requirements.

Notification is hereby given that a DBE contract specific goal has been established for this RFQ. The applicable **DBE goal is 23%** of the total dollar value of the contract including any change orders and/or modifications throughout the term of this Contract/agreement. The Respondent must make Good Faith Efforts in meeting such goals or submit documentation detailing Good Faith Efforts to meet the established DBE goals is required in response to this RFQ.

Respondents may comply with the Aviation's DBE Program, DBE Special Provisions and Requirements (Exhibit D) and Federal Code requirements without achieving the participation goals so long as they make and document Good Faith Efforts as required under 49 CFR Part 26. Respondents that do not meet the project's DBE goal are subject to Good Faith Efforts review. If such a review is needed, it will be performed by the DBE Liaison Officer (DBELO). If the DBELO determines the Respondent failed to make and document Good Faith Efforts, the Respondent will be deemed non-responsive.

In addition, if *Affirmation of DBE Participation (Form 6)*, *DBE Utilization (DBE Form 1)*, *Final Schedule of Subcontractors, Intent to Perform Forms (DBE Form 2)*, *DBE Regular Dealer/Distributor Affirmation (DBE Form 3)*, *Bidders List (DBE Form 5)* and or Good Faith Efforts documentation, if applicable, and *DBE LLC Joint Venture (JV) Information (DBE Form 4)* with the JV draft Agreement, if applicable (found in Exhibit E) are not submitted with the proposal as specified in this RFQ, the Respondent will be deemed nonresponsive.

III. SCHEDULE OF EVENTS

The following tentative schedule has been prepared for this project:

Pre-Submittal Conference:	September 20, 2024, 11:00 AM (CT)
Deadline for Submission of Written Questions:	September 27, 2024, 4:00 PM (CT)
Responses Due:	October 28, 2024, 10:00 AM (CT)
Anticipated Interviews, if necessary	December 2024
Anticipated City Council Consideration	January/February 2025

IV. PRE-SUBMITTAL CONFERENCE

A non-mandatory Pre-Submittal Conference is scheduled, for **September 20, 2024, at 11:00 a.m. CT**. The Pre-Submittal meeting will be held in person and virtually via WebEx. Attendance at the Pre-Submittal Conference is optional, but highly encouraged. Respondents who join the Pre-Submittal Conference are required to sign into the meeting using a QR code provided during the meeting. This will confirm Respondent’s attendance and participation for the Pre-Submittal meeting.

The Pre-Submittal Conference will be held at the City of San Antonio Airport Center, **10100 Reunion Place, Boeing Conference Room 3rd Floor, San Antonio, Texas 78216. The event is not in the Airport Terminals.** The meeting is located adjacent to the San Antonio Airport in the Airport Center office building. City of San Antonio Airport Center guest access and security procedures are provided hereto as “**Exhibit R**”.

Prospective Respondents may join the WebEx using the following instructions:

Join by phone: 1-415-655-0001

Meeting number (access code): 2633 413 5087

Meeting password: COSA2024

Join meeting:

<https://sanantonio.webex.com/sanantonio/j.php?MTID=mc0ba2cccd6a633cd0aca4822e552e166>

Attendance at the Pre-Submittal Conference is optional, but highly encouraged. Respondents who join the WebEx Pre-Submittal Conference are highly encouraged to email the solicitation’s point of contact person confirming Respondent’s attendance and participation through the WebEx.

Respondent is encouraged to submit written questions concerning this RFQ through the CivCast website at least five (5) calendar days in advance of the Pre-Submittal Conference, in order to expedite the proceedings. City’s responses to questions received by this due date may be distributed at the Pre-Submittal Conference, as well as being posted on the CivCast website at <https://www.civcastusa.com/bids>.

This meeting place is accessible to disabled persons. The Aviation Department, Airport Center is wheelchair accessible. Auxiliary aids and services are available upon request. Interpreters for the Deaf must be requested at least 48 hours prior to the meeting. For assistance, call (210) 207-7245 Voice/TTY.

Any oral responses provided by City staff at the Pre-Submittal Conference shall be preliminary. A written summary of the Pre-Submittal Conference shall contain City’s official responses to issues raised during the Pre-Submittal Conference and posted on the CivCast website at <https://www.civcastusa.com/bids>. Any oral response given at the Pre-Submittal Conference that is not confirmed in the posted written summary from the Pre-Submittal Conference or in a subsequent addendum shall not be official or binding on City. Only written responses shall be official. All other forms of communication with any officer, employee or agent of City shall not be binding on City.

Parking Instructions:

The parking garage guard will direct you to park on the top floor of the parking garage (3rd floor). Take the garage elevator to 2nd floor (P2 level) and walk through the sliding door. Take the building elevator to the 3rd floor. The Pre-Submittal will be on the 3rd floor – you will see the meeting room as soon as you step off the elevator. Signage will be provided to direct you to the meeting room.

Kindly do not park in the visitor spaces out front of the building; use the parking garage instead.

V. SUBMITTAL DOCUMENT REQUIREMENTS AND EVALUATION CRITERIA

City will conduct a comprehensive, fair, and impartial evaluation of all proposals received in response to this RFQ. City will appoint a selection committee to perform the evaluation of the received proposals. Each proposal received by City shall be analyzed to determine overall responsiveness and qualifications to the RFQ. The selection committee may select Respondents who are judged to be reasonably qualified for interviews, depending on whether further information is needed. Interviews are not an opportunity to change a submission. If the City elects to conduct interviews, Respondents may be interviewed and re-scored based upon the same criteria. City may also request information from Respondents at any time prior to final approval of a selected Respondent or seek best and final offers from Respondents deemed reasonably qualified for award. Final approval of a selected Respondent is subject to the action of the San Antonio City Council.

Respondent's proposal shall include the following items included in the Submittal Checklist & Table of Contents (**Form #1**) in the following sequence combined in PDF format:

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 AVIATION GENERAL CONDITIONS REVIEW (Indexed and Labeled as “Tab 3”)** – Respondent shall review the Contract Template and Aviation General Conditions, provided hereto and made a part hereof and labeled as **Exhibit A & Exhibit B** and provide **written acknowledgment that Respondent accepts the terms, conditions and requirements** of the Aviation General Conditions, in Respondent's submitted proposal under **“Tab 3”**.
4. **STATEMENT OF QUALIFICATIONS** – Respondent shall provide a narrative document, as outlined in the **Statement of Qualifications** below, addressing all evaluation criteria in **Section V** of this RFQ considering the project defined in this solicitation. Sufficient information regarding Respondent's past projects and key personnel's experience shall be provided in Respondent's proposal. to indicate its team has met or exceeded the minimum qualifications provided in **Section V** of this RFQ in proposal.

The following Evaluation Criteria shall be used, in recommending the award of this Contract:

A. Experience, Background, Qualifications of Respondent Team (including Prime Firm, Joint Venture Parties or Partners, Sub-Consultants) and Key Personnel – (55 Points)

Respondent shall respond to the following items, as they relate to Scope of Work:

1. **Minimum Qualifications (Indexed and Labeled as “Tab 4”)** – Summarize compliance with each of the Minimum Qualifications stated in RFQ Section I, Background. The Minimum Qualification

summary shall be limited to two (2) pages.

2. **Team Profile (Indexed and Labeled as “Tab 5”)** – Provide a description of the Respondent team, their qualifications and experience, including Prime Firm, Joint Venture Parties or Partners and Sub-Consultants and identify which services they are proposed to provide (limited to ten (10) pages). Include teaming rationale and objectives.
3. **Proposed Key Personnel/Organizational Chart (Indexed and Labeled as “Tab 6”)** – Provide a detailed organizational chart or graphic representation of your team, identifying key personnel who shall be assigned to work on the various tasks assigned through this professional service agreement. Describe, in graphic and written form, the proposed assignments and lines of authority and communication for each team member to be directly involved in the project(s). Also identify the firm for which each team member is employed. **If respondent holds existing On-Call General Engineering Consultant contract with Aviation, proposed key personnel must be different from existing team.**
4. **Experience Matrix for Proposed Staff (Indexed and Labeled as “Tab 7”)** – Complete the Staff Experience Matrix (Exhibit M) to include all proposed team members, Prime, Joint Venture Parties and Partners and Sub-Consultants indicating demonstrable experience, in years, of each individual proposed on the Organizational Chart, to include location of team member. The form may be duplicated if more than one page is needed.
5. **Project Sheets (Indexed and Labeled as “Tab 8”)** Using up to two (2) pages for each Project Sheet, identify five (5) projects completed by the Prime and up to ten (10) projects completed by Sub-consultants in the last five years. Each Project Sheet should be no more than (2) pages with a maximum of 30 pages for this section to include the following:
 - a. Project name and description which highlights how Respondent meets Preferred Qualifications stated RFQ Section I, Background.
 - b. List of team members (Prime Firm, Joint Venture Parties or Partners and major Sub-Consultants) along with key personnel who were assigned to or who were under contract for each Project. Provide details regarding the entities’/individuals’ respective roles. If any are proposed to be assigned to or contracted for the Project resulting from this RFQ and note what role they will play.
 - c. Relevant Project Dates: Contract Award, Contract Completion, and Construction Dates (start/completion)
 - d. Project’s original design and construction contract amounts and final design and construction contract amounts
 - e. Role of firm in the Project
 - f. Names of Design Architect / Engineer; Project Estimator; and Program Manager; and Construction Manager/Observer
 - g. The owner’s name and the name of the Owner’s Representative (if different) who served as the owner’s day-to-day liaison during the design/construction phase of the project in the following format:
 - Name of Owner:
 - Name of Owner’s Representative:
 - Representative’s Phone Number:
 - Representative’s E-mail:
 - h. Description of the project including level of Leadership in Energy and Environmental Design (LEED) certification obtained, if any
 - i. DBE actual utilization versus DBE Goal
 - j. Photograph of the elevation of the facility and other pertinent photos.

6. **Resumes (Indexed and Labeled as “Tab 9”)** Respondent shall provide a one-page resume for each key team member identified in the Organizational Chart. Resumes should link back to Project Sheets, if applicable. If person did not work on the Project Sheet projects, then the resume should show projects where the person performed similar roles proposed for the City’s project. Resumes shall include:
- a. License type (if applicable) and number of years licensed
 - b. Certification or other role specific recognitions, and number of years
 - c. Number of years employed with the Respondent or Sub-Consultant firm
 - d. Number of years of experience in proposed role as identified on the Organizational Chart
 - e. Number of years of experience working on Aviation related projects
 - f. Experience with the use of BIM technology in delivery of previous construction projects (particularly identify if any were those projects included in the project sheets)
 - g. LEED Accreditation, if any
 - h. City/State of residence and City/State of office from which person is officially based, if different

B. Project Approach/Management Plan (35 points)

The firm shall submit information in a brief narrative plan which clearly and concisely describes the organizational structure, resource availability, and approach to project management and execution. This section shall be limited to ten (10) pages indexed and labeled as “**Tab 10**” in the submittal.

- 1) Describe Respondent’s approach to management and coordination of team members.
- 2) Detail the current capacity of key personnel and their availability, and the Respondent’s capabilities to respond to assigned projects to complete the services outlined herein.
- 3) Explain how Respondent intends to distribute assigned work amongst itself and its subcontractors.
- 4) Briefly describe Respondent’s understanding of the City and Department’s unique issues, constraints, nuances, or other factors that may affect the successful completion of assignments. Provide the approach of your Respondent Team to meet and manage those factors and comprehensively address all the issues, standards and requirements needed.
- 5) Include, in the narrative, the Respondent’s approach to:
 - a. Airport planning
 - b. Project management/project controls
 - c. Design management, including quality control and quality assurance
 - d. Construction management, schedule management, and budget management
 - e. Simultaneous multi-year projects
 - f. Fast-Track design
 - g. Staff augmentation
 - h. Requested work proposal response
 - i. Bid package/solicitation preparation
 - j. Grant applications
 - k. Data management/data analytics
 - l. Commercial development at an airport
- 6) Describe the Respondent’s approach to Department, City, and stakeholder involvement and to providing seamless, successful delivery of the services outlined in this RFQ.
- 7) Provide information related to Respondents or any of its proposed team members’ failure to complete any contract awarded and an explanation. If Respondent and its proposed team members have never failed to complete a contract awarded, please include a statement affirming this.

- 8) Describe Respondent's approach if multiple packages were needed to facilitate a fast-track design. Explain how Respondent would manage an assignment of multiple high-priority projects in a short time period with rapid response times.
- 9) Describe Respondent's approach to facilitate projects with multiple grants and FAA requirements ensuring grant compliances and assurances.

C. Disadvantaged Business Enterprise (DBE) Program Requirements – (10 Points) (Indexed and Labeled as “Tab 11”)

Respondents should note that a complete response requires the subcontracting plan to achieve the contract specific goal or documentation of good faith outreach efforts if the goal cannot be achieved, and a narrative related to Respondent's approach to subcontractor engagement.

The selection process for this RFQ will be based on the information submitted by Respondent as set forth in the **Disadvantaged Business Enterprise (DBE) Special Provisions and Requirements, Exhibit D, and DBE Forms 1-5.**

Respondent **must** make good faith efforts by either of the following things:

1. Documents that it has obtained enough DBE participation to meet the goal; or
2. Documents that it made adequate good faith efforts to meet the goal, even though it did not succeed in obtaining enough DBE participation to do so.

The DBE Liaison Officer will evaluate the “good faith efforts” of a firm. If the DBE Liaison Officer determines the respondent failed to do so, then the respondent will be deemed non-responsive.

Failure to meet the DBE requirements will deem the response non-responsive.

It is pass or fail on meeting the DBE goal and Good Faith Effort plan. If respondent passes, then they move forward to evaluation panel.

EVALUATION CRITERIA

DBE participation shall be evaluated based on the Good Faith Efforts participation plan and other information submitted by Respondent as set forth in the DBE Program Requirements, DBE Exhibits, and DBE Forms. If these required DBE forms and documentations are not submitted with this solicitation, the RFQ submittal will not be accepted for consideration.

The points assigned to this category (10 total) shall be allocated as follows:

DBE Participation Points (10 total) shall be utilized for the award of this project based on submitting a two (2) page maximum description of Respondent's DBE Narrative Statement to include the following information:

- Respondent's commitment in addressing diversity; activities to be taken to assure equal employment opportunity for all persons, regardless of race, color, religion, age, national origin, or disability; and institutional strategies to ensure diversity.
- Diversity in Respondent's team; and
- Respondent team members' historical DBE utilization on previous contracts.

In addition, Respondent shall submit completed and signed DBE forms listed below. These forms along with the Narrative Statement shall be indexed and labeled as **Tab “11”**.

Below is the Evaluation Criteria Summary:

Evaluation Criteria Summary	Maximum Points
A. Experience, Background, Qualifications of Respondent Team (including Prime Firm, Joint Venture Parties or Partners, Sub-Consultants and Key Personnel)	55
B. Project Approach/Management Plan	35
C. Disadvantaged Business Enterprise (DBE) Program Requirements	10
Total Maximum	100 Points

Required Forms (to be uploaded individually in CivCast):

City shall conduct due diligence and analysis of the following required forms:

1. **SUBMITTAL COVER/SIGNATURE SHEET (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. Respondent is required to enter the Texas Secretary of State Filing Number and the System of Award Management (SAMS) DUNS and/or CAGE number.
2. **CONTRACTS DISCLOSURE FORM (Form #3)** – Respondent shall complete the form online at: <https://webapp1.sanantonio.gov/ContractsDisclosure/>, 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 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. **HEAT ILLNESS PREVENTION ACKNOWLEDGMENT FORM (Form #5)** – Respondent and Co-Respondents must include the complete the Heat Illness Prevention Acknowledgment form with this solicitation. Effective August 31, 2023, the Heat Illness Prevention Ordinance implemented requirements to certain City-funded contracts involving activities in outdoor and unconditioned spaces. For more detailed information on the Heat Illness Ordinance, see Ordinance No. 2023-08-31-0585 and General Conditions for Construction Contract, Article X.1.5 and Art.X.2.3(a).
5. **AFFIRMATION OF DBE PARTICIPATION (Form #6)** – Respondent shall submit signed Affirmation Form 6 acknowledging they have read DBE Special Provisions and Requirements and are aware of the required DBE forms.
6. **DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM FORM (DBE Forms 1-5)** – *Final Schedule of Subcontractors* and DBE Forms referenced in this section can be found as an exhibit to the RFQ labeled as DBE Forms 1-5. Respondent shall submit completed and signed: *DBE Utilization (DBE Form 1)*, *Letter of Intent (DBE Form 2)*, *DBE Regular Dealer/Distributor Affirmation (DBE Form 3)* for DBE suppliers identified in DBE Form 2, *Bidders List (DBE Form 5)*. DBE Current Certificates for all DBE firms identified, if applicable submit *Good Faith Effort*

Criteria and DBE LLC/Joint Venture Information (DBE Form 4) with JV draft Agreement described in RFQ. If these required DBE forms and documentations are not submitted with this solicitation, the RFQ submittal will be deemed non-responsive.

7. **PROOF OF INSURABILITY** – Respondent shall submit a copy of its current insurance certificate.
8. **CERTIFICATE OF INTERESTED PARTIES TEC FORM 1295** – The Texas Government Code §2252.908, and the rules issued by the Texas Ethics Commission found in Title 1, Chapter 46 of the Texas Administrative Code, require a business entity to submit a completed Form 1295 to the City before the City may enter into a contract with that business entity:

Form 1295 must be completed online. It is available from the Texas Ethics Commission by accessing the following web address:

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

Print your completed Form 1295. Submit your signed Form 1295 with your response to this solicitation. Where requested to provide the name of the public entity with whom you are contracting, insert “City of San Antonio”. Where requested to provide the contract number, provide the solicitation number shown on the cover page of this solicitation (e.g. IFB 6100001234, RFO 6100001234 or RFCSP 6100001234).

The following definitions found in the statute and Texas Ethics Commission rules may be helpful in completing Form 1295.

“Business entity” includes an entity through which business is conducted with a governmental entity or state agency, regardless of whether the entity is a for-profit or nonprofit entity. The term does not include a governmental entity or state agency. (NOTE: The City of San Antonio should never be listed as the “Business entity”.)

“Controlling interest” means: (1) an ownership interest or participating interest in a business entity by virtue of units, percentage, shares, stock, or otherwise that exceeds 10 percent; (2) membership on the board of directors or other governing body of a business entity of which the board or other governing body is composed of not more than 10 members; or (3) service as an officer of a business entity that has four or fewer officers, or service as one of the four officers most highly compensated by a business entity that has more than four officers. Subsection (3) of this section does not apply to an officer of a publicly held business entity or its wholly owned subsidiaries.

“Interested party” means: (1) a person who has a controlling interest in a business entity with whom a governmental entity or state agency contracts; or (2) an intermediary.

“Intermediary,” for purposes of this rule, means a person who actively participates in the facilitation of the contract or negotiating the contract, including a broker, adviser, attorney, or representative of or agent for the business entity who:

- (1) receives compensation from the business entity for the person’s participation;
- (2) communicates directly with the governmental entity or state agency on behalf of the business entity regarding the contract; and
- (3) is not an employee of the business entity or of an entity with a controlling interest in the business entity.

Publicly traded business entities, including their wholly owned subsidiaries, are exempt from this requirement and are not required to submit Form 1295.

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. If applicable, City shall include the selected Respondent's Form 1295 in its package prepared for the San Antonio City Council's consideration for contract award.

VI. SUBMISSION INSTRUCTIONS

Online submission will be via CivCast at <https://www.civcastusa.com/bids>. Online submission services will open for submitting proposals on **September 13, 2024, and close on October 28, 2024, at 10:00 a.m. CT**. Follow submittal instructions on <https://www.civcastusa.com/>. **Hard copies and proposals sent by facsimile or email will not be accepted.**

Please adhere to the following criteria:

- Pages equal front only
- No smaller than 11-point font.
- Be succinct and clear.
- Keep your submittal relevant to the target project.
- Each submittal shall include the sections and attachments in the sequence listed in the **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.

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.

Co-Respondents are two (2) or more entities proposing as a team or joint venture with each signing the contract, if awarded. Sub-contractors are not Co-Respondents and should not be identified here. If you are conducting business in Texas, it is likely you will have to register your business with the State Comptroller. Depending on the type of business you conduct, you may also be required to obtain a permit, collect and or pay tax, and file tax returns.)

(If Respondent/Co-Respondents are not registered with the Texas Secretary of State, please note the City of San Antonio requires Respondents selected for award of a contract register with the Texas Secretary of State. Changes to the registered agent or registered office information must always be filed with the Texas Secretary of State and comply with applicable statutory requirements. A sole proprietor, conducting business under an assumed name (a name other than the surname of the individual), shall file an assumed name certificate with the Office of the Bexar County Clerk. Any associated costs, fees or expenses should be considered in Respondent's price proposal.)

Respondent must comply with the Restrictions on Communication section of this RFQ and shall not provide full or partial copies of its submission to City officials or City employees, as defined by that section. Failure to submit a submittal in accordance with the prescribed process will result in Respondent's submittal being disqualified from consideration.

VII. AMENDMENTS TO RFQ

Changes, amendments, or written responses to questions received in compliance with **Section VIII**, Restrictions on Communication herein, will be posted on the CivCast website at <https://www.civcastusa.com/bids>. It is Respondent's responsibility to review this site and ascertain whether any amendments have been made prior to submission of its proposal. If Respondent does not have access to the Internet, Respondent shall notify City, in accordance with **Section VIII**, Restrictions on Communication, that it 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 this RFQ and all changes to this RFQ, if any, shall be made by City only in writing.

VIII. RESTRICTIONS ON COMMUNICATIONS

Respondents are prohibited from contacting 1) City officials, as defined by §2-62 of the City Code of the City of San Antonio, regarding the RFQ or proposal from the time the RFQ has been released until the contract is posted for consideration as an agenda item during a meeting designated as an A session; and 2) City employees from the time the RFQ has been released until the contract is approved at a City Council "A" session.

Restrictions extend to "thank you" letters, phone calls, emails and any contact that results in the direct or indirect discussion of the 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.

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.

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 must submit questions concerning this RFQ through the CivCast website at <https://www.civcastusa.com/bids> until **September 27, 2024, at 4:00 p.m. CT**. Questions received after the stated deadline shall not be answered.
3. Respondents and/or their agents are encouraged to contact the Aviation Department's DBE Liaison Officer Barbara Patton for assistance or clarification with issues specifically related to the Disadvantaged Business Enterprise (DBE) Program policy and/or completion of the required DBE forms. Mrs. Patton may be reached by telephone at (210) 207-3592 or by e-mail at Barbara.Patton@sanantonio.gov. Respondents may contact Mrs. Patton or Business Opportunity and Diversity Development (BODD) office at BODD@sanantonio.gov any time prior to the due date for submission of proposals. Contacting her or BODD regarding this RFQ after the proposal due date is not permitted.
4. Respondent must provide responses to any questions asked of it by City's Staff Contact Person and/or his/her designee about City's DBE Program both before and after responses are received and opened. During interviews, if any, verbal questions, and explanations will be permitted. If Respondent is invited for an interview and/or demonstration, the City requests Respondents limit the size of their team to no more than four (4) people of Respondent's choosing and subject to City's approval. Attorneys and/or lobbyists are strictly prohibited from attendance. If you are utilizing a subcontractor, a subcontractor representative should be included. The City reserves the right to exclude any persons from interviews as it deems in its best interest.

Upon completion of the evaluation process, Respondents shall receive a notification letter indicating the recommended firm, anticipated City Council agenda date, and a review of the solicitation process.

City reserves the right to contact any Respondent to negotiate if such is deemed desirable by City. Such negotiations, initiated by City staff persons, shall not be considered a violation by Respondent of this section.

IX. 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.

- A. A Contract, if awarded, shall be awarded to a Respondent whose proposal is deemed most advantageous to City, as determined by the selection committee and upon the approval by the San Antonio City Council.
- B. City may accept any proposal in whole or in part. If subsequent contract negotiations are conducted, such negotiations shall not constitute a rejection or alternate RFQ on the part of City. However, final selection of a Respondent is subject to San Antonio City Council approval.
- C. City reserves the right to accept one or more proposals or reject any or all proposals received in response to this RFQ and to waive informalities and irregularities in any proposal received. City also reserves the right to terminate this RFQ, reissue a subsequent solicitation and/or remedy technical errors in the RFQ process.
- D. By executing the Submittal Cover/Signature Sheet, Respondent agrees to be bound by the terms therein. Respondent acknowledges it has received all Addenda and agrees to be bound by the terms, conditions and requirements of this submitted submittal, all documents listed in the RFQ Submittal Checklist and Table of Contents, the enabling City Ordinance and all of the associated documentation that form the entire Contract to which Respondent shall be bound, upon the approval of the San Antonio City Council. All Contract documents are not binding on City until approved by the San Antonio City Attorney's office and the San Antonio City Council. No work shall commence on the subject Project until Respondent provides the necessary evidence of insurance required in City's General Conditions for City of San Antonio Construction Contracts and until City signs the Notice to Proceed. In the event the parties cannot negotiate within the time specified by City, City reserves the right to terminate negotiations with the selected Respondent and commence negotiations with another Respondent.
- E. This RFQ does not commit City to enter to an agreement or award any services related to this RFQ, nor does it obligate City to pay any costs incurred by Respondent in the preparation or submission of a response or in anticipation of a contract.
- F. City administers its design and construction management through an Internet-based management system. All vendors shall be required to use City's system and submit Project schedules as City dictates.
- G. **Conflicts of Interest:** Respondent acknowledges that 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 entered into 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/her parent, child or spouse; a business entity in which he/she or his/her parent, child or spouse owns ten percent (10%) or more of the voting stock or shares of the business entity, or ten percent (10%) or more of the fair market value of the business entity; or a business entity in which any individual or entity listed by Respondent is a Subcontractor on a City contract, a partner or a parent or subsidiary business entity.
- H. Respondent is required to warrant and certify that it, its officers, employees and agents are neither officials nor employees of City, as defined in Section 2-42 of City's Ethics Code. (Contracts Disclosure Form) – Instructions and web-link to electronic form are included in **Form 3** of RFQ.

- I. **Independent Contractor:** Respondent understands, accepts and agrees, 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), responsible for its/their respective acts or omissions, that City shall in no way be responsible for Respondent's actions and that none of the parties to this award shall have authority to bind the other or to hold out to third parties that it has such authority.
- J. **State of Texas Conflict of Interest Questionnaire (Form CIQ).** Chapter 176 of the Texas Local Government Code requires that persons or their agents who seek to contract for the sale or purchase of property, goods or services with City shall file a Form CIQ with the City Clerk if those persons meet the requirements under §176.006(a) of the statute.

By law this questionnaire must be filed with the City Clerk not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Texas Local Government Code.

Form CIQ is available from the Texas Ethics Commission by accessing the following web address:
<https://www.ethics.state.tx.us/forms/conflict/>

In addition, please complete the City's Addendum to Form CIQ (Form CIQ-A) and submit it with Form CIQ to the Office of the City Clerk. The Form CIQ-A can be found at:
<http://www.sanantonio.gov/atty/ethics/pdf/OCC-CIQ-Addendum.pdf>

When completed, the CIQ Form and the CIQ-A Form should be submitted together by mail to the Office of the City Clerk.
Please mail to:

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

Do not include these forms with your sealed bid. The procurement staff will not deliver the forms to the City Clerk for you. Respondent shall consult its own legal advisor if it has any questions regarding the statute, Form CIQ or CIQ Addendum.

- K. All submittals become the property of City upon receipt and shall not be returned. Any information deemed to be confidential by Respondent clearly should be noted on the page(s) where confidential information is contained; however, City cannot guarantee that it shall 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.
- L. Any cost or expense incurred by the Respondent associated with the preparation of its submittal, the Pre-Submittal Conference or during any phase of the selection process, if any, shall be borne solely by Respondent.
- M. City reserves the right to verify any and all information submitted by Respondents at any time during the solicitation/evaluation process.
- N. Final approval of a selected firm(s) is subject to the action of the San Antonio City Council.
- O. City reserves the right to contact any Respondent to negotiate a contract, if such action is deemed desirable by City.

P. TEXAS GOVERNMENT CODE §2270.002:

State Prohibitions on Contracts:

This section only applies to a contract that:

- (1) is between a governmental entity and a company with 10 or more full-time employees; and
- (2) has a value of \$100,000 or more that is to be paid wholly or partly from public funds of the governmental entity.

"Company" means a for-profit 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. This term does not include a sole proprietorship.

Prohibition on Contracts with Companies Boycotting Israel.

Texas Government Code §2271.002 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.

"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.

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 found to be false, City may terminate the contract for material breach.

Prohibition on Contracts with Companies Boycotting Certain Energy Companies.

Texas Government Code §2274 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 energy companies; and (2) will not boycott energy companies during the term of the contract.

"Boycott energy company" means, without an ordinary business purpose, 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 with a company because the company: (A) engages in the exploration, production, utilization, transportation, sale, or manufacturing of fossil fuel-based energy and does not commit or pledge to meet environmental standards beyond applicable federal and state law; or (B) does business with a company described in (A).

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

Prohibition on Contracts with Companies that Discriminate Against Firearm and Ammunition Industries.

Texas Government Code §2274 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 have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and (2) will not discriminate during the term of the contract against a firearm entity or firearm trade association.

"Discriminate against a firearm entity or firearm trade association": (A) means, with respect to the entity or association, to: (i) refuse to engage in the trade of any goods or services with the entity or association based solely on its status as a firearm entity or firearm trade association; (ii) refrain from continuing an existing business relationship with the entity or association based solely on its status as a firearm entity or firearm trade association;

or (iii) terminate an existing business relationship with the entity or association based solely on its status as a firearm entity or firearm trade association.

By submitting an offer to or executing contract documents with the City of San Antonio, Company hereby verifies that it does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and will not discriminate during the term of the contract against a firearm entity or firearm trade association. City hereby relies on Company's verification. If found to be false, City may terminate the contract for material breach.

Q. 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.

R. S.B. 943 – Disclosure Requirements for Certain Government Contracts.

S.B. 943 – Disclosure Requirements for Certain Government Contracts. For contracts (1) with a stated expenditure of at least \$1 million in public funds for the purchase of goods or services by the City, or (2) that result in the expenditure of at least \$1 million in public funds for the purchase of goods or services by the City in a given fiscal year, Respondent acknowledges that the requirements of the Texas Public Information Act, Government Code, Chapter 552, Subchapter J, pertaining to the preservation and disclosure of Contracting Information maintained by the City or sent between the City and a vendor, contractor, potential vendor, or potential contractor, may apply to this RFCSP and any resulting contract. Respondent agrees that the contract can be terminated if Respondent knowingly or intentionally fails to comply with a requirement of that subchapter.

By submitting a proposal, Respondent warrants and certifies, and a contract awarded pursuant to this RFCSP is made in reliance thereon, that it, has not knowingly or intentionally failed to comply with this subchapter in a previous RFCSP or contract. City hereby relies on Respondent's certification, and if found to be false, City may reject the proposal or terminate the Contract for material breach.