



CITY OF SAN ANTONIO

REQUEST FOR QUALIFICATIONS (RFQ)

Airfield Design Services for Airfield Safety Enhancements & Improvements Program (ASEIP) - Phase 1 RFQ: 2025-013 | WBS: 33-03348-01-01-01-02

Release Date: November 15, 2024

Proposals Due: January 10, 2025, at 10:00 AM Central Time (CT)

This solicitation has been identified as High-Profile.

PROHIBITED CAMPAIGN CONTRIBUTIONS

Prohibition against 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, executive committee member, and general board member of an entity seeking a high-profile contract;
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;
6. Any first-degree member of the household of any person listed in (1), (2), (3) or (5) of this subsection; and
7. Any corporate political action committee (PAC) established or formed by the entity seeking a high-profile contract.

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 December 3, 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 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.

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

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Airfield Design Services for Airfield Safety Enhancements & Improvements Program (ASEIP) - Phase 1

RFQ: 2025-013

I. BACKGROUND

The City of San Antonio (City), Aviation Department is issuing a Request for Qualifications (RFQ) seeking Statement of Qualifications (SOQ) from qualified firms (Respondents) to provide design/engineering and construction phase services for the Airfield Safety Enhancements and Improvements Program (ASEIP) at San Antonio International Airport (Airport).

The Airport, in partnership with the Federal Aviation Administration (FAA), has identified the critical need to implement the ASEIP which includes development of new airfield facilities and redevelopment of existing airfield facilities that were included in the Airport's Strategic Development Plan (SDP) or Master Plan. The primary runway's concrete pavement is nearly 40 to 50-years old and is in need of replacement and significant rehabilitation to maintain safe aircraft operations and extend the pavement's functional life. The ASEIP program will address the pavement and other infrastructure required to support the reconstruction of the primary runway to meet current and future aircraft demand, airspace management and safety, and efficiency throughout the National Airspace System (NAS). The projects included in the ASEIP were identified during the development of the SDP, the most recent Airport Pavement Maintenance Management Program (PMMP), and the planning efforts of the current Airfield Engineering Design Services contract. The ASEIP will primarily consist of two (2) development phases. This solicitation will include design/engineering and construction phase services for **Phase 1** of the program. Phase 1 will include but is not limited to the following elements: enabling projects, runways, taxiways, drainage, utilities, Navigational Aids (NAVAIDs) and other FAA facilities, vehicle service roads, controlled access systems, pavement markings, signage, and airfield lighting systems, as further described in Section II below.

The City will address Phase 2 in a future procurement. All work will be required to meet the requirements of applicable FAA Orders, Advisory Circulars (AC), and other Federal, State, and Local rules, regulations, and standards. Additionally, requirements associated with United States Department of Transportation and other federal agency funding for projects may apply.

The Airport currently is soliciting for a Construction Manager at Risk (CMAR) to complete Phase 1 of the ASEIP program. It is anticipated that they will be on board in early Summer 2025.

An initial phasing plan has been incorporated into the Airport's FAA Airport Capital Improvement Plan (ACIP) and is being included into the City's 6-year Capital Improvement Program (CIP). The projects' timelines, as reflected in the ACIP, may accelerate, or be extended due to actual funding levels.

The City will award one Professional Services Agreement (PSA) as a result of this RFQ which will be in effect until Phase 1 of ASEIP is complete, for a total contract not to exceed amount of approximately \$40,000,000 over the life of the agreement. Contract award and amendment funding will be based on phasing of projects, requirements to maintain FAA grant eligibility, and availability of funds.

Summary of Projects

More specifically, the PSA resulting from this RFQ will include the following scope, shown graphically in **RFQ Exhibit F – Project Layout**.

Phase 1: Runway 13L/31R Safety Enhancement Project – This project will upgrade the existing Runway 13L-31R and associated taxiway facilities to meet air carrier standards based on the implementation of the SDP. Phase 1 will reconstruct the existing runway to a new length of approximately 8500 feet, shift the centerline by 10 feet, and install a full-length Aircraft Design Group (ADG) VI midfield taxiway as identified in the SDP. The project includes large amounts of fill for the runway and taxiway network creating significant grading challenges for the cross-airfield tie-ins with existing infrastructure planned for construction during Phase 2. New NAVAIDs will be required for Runway 13L/31R, and existing NAVAIDs currently used on Runway 13R/31L are anticipated to be adjusted during this phase. Anticipated work includes grading, drainage, utilities, lighting, shoulders, signage, electrical systems, vehicle service roads, roadways, secure identification access points, NAVAIDs, and pavement markings. The utilities work will include coordination with both the FAA and CPS Energy. The new approach lighting system will require close coordination with TxDOT.

Experience and Qualifications

The projects will be funded in whole or part by FAA grant funds with a potential to be funded by other federal agencies. The Respondent shall assemble a multi-disciplinary team experienced with runway and taxiway projects in complex airport operation environments. Team should also be experienced in the design and installation of FAA Navaids and other FAA facilities. Respondents must be able to demonstrate strong airport engineering and design, FAA coordination, construction management and administration, resident project inspection and airport operations experience. Additionally, Respondents must demonstrate experience working with the Texas Department of Transportation (TxDOT) San Antonio District Office, working in a collaborative environment with a contractor selected under an alternate delivery method, and preferably have experience coordinating with or working for the U.S. Department of Defense (DOD).

The Respondent Team, to include sub-consultants, is required to have the following experience and capabilities:

- Experience with FAA Airport Improvement Program (AIP) - funded runway and taxiway pavement construction, reconstruction, and rehabilitation projects.
- Experience in sequencing and implementing a multi-year airfield pavement construction program.
- Experience managing large multi-disciplinary teams and working with contractors selected using alternate delivery methods.
- Strong airport engineering, pavement design, structural, Municipal Solid Waste (MSW) and Construction Debris Waste (CDW) removal and documentation, construction management and administration, resident project inspection, project management, FAA coordination, and airport operations experience.
- Propose a Team capable of managing a range of complexities with enough redundancy to cover simultaneous project activities and potential project acceleration while still maintaining a highly qualified team and schedule for each phase of work.
- Proven experience performing similar scopes of work for airport projects of similar size and complexity.
- Propose a Project Manager who shall be assigned to manage all work under the agreement for the duration of the term of the contract and who has at a minimum 15 years Aviation industry experience for a commercial international airport and with airfield programs over \$100 million dollars.
- Extensive experience working with current FAA Orders, Advisory Circulars (AC) and other guidance and regulatory documents.

- Have demonstrated experience with design, coordination, and installation of new, modified, or relocated FAA Approach Lighting Systems, Navaids, and other FAA facilities located in the airfield.
- Experience working with TxDOT and preferably the DOD.

II. SCOPE OF WORK AND GENERAL REQUIREMENTS

The projects are anticipated to be completed over at least five funding years and are directly dependent upon FAA AIP funding. The projects may accelerate or be extended further due to actual funding levels. Construction contract packaging shall be developed in collaboration with the CMAR contractor to provide maximum flexibility in accommodating varying funding levels.

Work associated specifically with the ASEIP – Phase 1 will follow the appropriate steps to help facilitate grant applications and potential awards. It is anticipated that the project will be executed with early work packages, which would lead to the execution of multiple work efforts at various levels of development and/or construction under the key services within this PSA:

1. Design and Bid Phase Services
2. Construction Phase Services

The scope of services will include but is not limited to:

Design and Bid Phase Services

- Apply appropriate FAA Advisory Circulars (AC), Orders, and other Airport and regulatory guidance documents as required throughout project duration, to include but is not limited to:
 - Update aviation forecasts for pavement design, if required,
 - Design of airfield pavement, drainage, embankment, grading, and associated work,
 - Design of airfield electrical circuitry, regulators, and associated work,
 - Design of airfield pavement marking and guidance signs,
 - Design of FAA-owned facilities (including ALS and other Navaids) and other utility relocation,
 - Design of temporary and permanent fencing and security systems for AOA access,
 - Prepare and develop design and construction documents,
- In collaboration with the CMAR contractor:
 - Develop overall construction sequencing and packaging strategy,
 - Identify phasing and sequence impacts per phase of work and develop proposed mitigations,
 - Prepare cost estimates and schedules,
 - Prepare construction solicitation front-end documents and coordinate with City and Airport staff as directed to meet solicitation schedules and FAA grant application requirements.
- Perform site investigations, if required, to include but not be limited to geotechnical investigations, surveys to include underground features, and review of existing record documents.
- Provide design submittals for review, coordination, and/or approval at 65%, 95%, and 100% construction contract documents, including supporting cost estimates and schedules.
- Provide design submittals for review, coordination, and/or approval at 65%, 95%, and 100% construction contract documents, including supporting cost estimates and schedules for FAA-owned facilities.

- Incorporate the Airport's SMS, including Safety Risk Assessments, as applicable in evaluating design and construction phasing/sequencing alternatives.
- Provide Bid/Solicitation support services to include but not be limited to:
 - Pre-Bid/Pre-Solicitation agenda and presentation preparation and participation at the Pre-Bid/Pre-Solicitation meetings,
 - Responding to questions and Requests for Information (RFIs),
 - Interpretation of contract documents as required,
 - Preparation of Addenda as required,
 - Performing bid/pricing evaluations, due diligence as required,
 - Attendance at bid openings and contract negotiations as needed.
- Perform Limited Phase 2 Environmental Assessments before mobilization and after demobilization for the construction contractor staging areas and temporary batch plants, if applicable. The Airport's Soil Management Plan is located on the Airport's webpage and can be located at:
<https://flysanantonio.com/wp-content/uploads/2021/02/Soil-Management-Plan.pdf>.
- Assist with the development and negotiations of anticipated Reimbursable Agreements with the FAA for impacts and mitigations of impacts to FAA communications and navigational aid equipment, design and installation of replacement approach lighting systems, and coordination for potential modification to runway approach procedures.
- Assist with the coordination with TxDOT San Antonio District Office for installation of an approach lighting system over US Highway 281 and other infrastructure impacting TxDOT ROW.
- Develop project presentations and reports and present to Airport Executives, FAA personnel, Airport Tenants and other project Stakeholders, and other City Leaders.

Construction Phase Services

- Provide conformed "Issue for Construction" (IFC) documents as required.
- **Resident Project Representative and Resident Inspection Services**
 - Provide dedicated, on-site, and licensed Resident Project Representative to oversee the dedicated Resident Inspection Services.
 - As Resident Project Representative, be present as an observer at the project sites through Final Completion of the construction activities. The working hours and schedules will be addressed during the contract negotiations.
 - The Resident Inspector will be required to be onsite during all major work activities to ensure all work adheres to the specifications and measure required quantities for contractor payment. The working hours and schedules will be addressed during the contract negotiations.
 - Resident Project Representative Services shall include, but not be limited to:
 - Serving as engineer's liaison with the construction contractor(s) as required,
 - Submitting weekly and quarterly construction observation reports,
 - Attending weekly construction meetings,
 - Observing and reviewing acceptance test results performed by construction contractor(s) at the frequency stated in the specifications.
 - Observations are required for the purpose of providing the City with a greater degree of confidence that the completed Work will conform to the construction contract documents.

- **Construction Administration Services**

- Provide Construction Administration Services through completion of the project to include, but not be limited to:
 - Maintaining Shop Drawing and Submittal Logs,
 - Reviewing and approving shop drawings and samples submitted by construction contractor(s) for conformance,
 - Evaluating and determining the acceptability of substitute or “or-equal” materials or equipment proposed by construction contractor(s),
 - Responding to Requests for Information (RFIs) and maintaining the RFI Logs,
 - Interpretation of construction contract documents,
 - Preparing and processing change orders, etc. to include providing review, negotiation, AIP eligibility justification, and recommendation on change order requests made by construction contractor(s),
 - Reviewing construction contractor applications for payment and the accompanying support documentation and providing recommendation for payment,
 - Preparing daily, weekly, and quarterly project status reports,
 - Assist the Airport with Claim negotiations to include attending mediation and legal hearings,
 - Submitting Project closeout documentation and final engineers report with the following documents:
 - Pre-construction documents such as construction contract schedule; agendas; meeting minutes; and contractor’s safety, quality control, and Storm Water Pollution Prevention plans,
 - Construction documents such as weekly inspection reports, monthly applications for payments, submittals, and submittal log,
 - Certifications such as Stormwater, Texas Pollution Discharge Elimination System permits.
 - Final documents such as final quantities computations, change orders, and contractor’s retainage package with recommendation letter,
 - Appendix materials such as construction contractors’ certified payrolls, field test results, scale tickets, project photos, etc.

- **Post Construction Services**

- Prepare as-built drawings and provide in hard copy, electronic (PDF), Airport GIS (AGIS), and Paver formats,
- Prepare FAA specific as-built drawings for submittal and approval by the FAA for all FAA owned facilities,
- Prepare a final test and quality control report documenting the results of all tests performed, highlighting those tests that failed or that did not meet the applicable test standard. The report shall include the pay reductions applied and the reasons for accepting any out-of-tolerance material.
- Perform warranty inspections.

Respondent will also be required to provide services, in addition to those already listed, as set out in the City’s General Conditions. **Refer to RFQ Exhibit B – General Conditions.**

All phases of the work will require close interaction and coordination with the City, local and regional FAA offices, the CMAR, TxDOT, and DOD as required by City.

Other Requirements

Personnel provided by awarded Consultant must be able to obtain proper TSA security clearances, to include the required background check for airfield access. Consultant shall be responsible for either having all sub-consultants properly badged or providing escorts to sub-consultants. Driving within the secured areas of the airfield will be required. See **RFQ Exhibit E - Procedures for Obtaining Airport Personnel Identification Badge & Airfield Driver's License**.

In addition to standard requirements contained in the City's **Professional Services Agreement Template (RFQ Exhibit A)**, Consultant will be required to comply with provisions of FAA Advisory Circular (AC) 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: Consultant and their sub-consultants will be expected to provide substantiation for labor, overhead & burden rates to meet the requirements outlined in FAA Advisory Circular (AC) 150/5100-14E "Architectural, Engineering, and Planning Consultant Services for Airport Grants Projects", or its most current version. To meet the Overhead substantiation requirements, Consultant will be asked to submit an Audited Overhead supported by the Report of Independent Auditors that accompanied the Audited Overhead. Consultant may also submit a Defense Contract Audit Agency (DCAA) audit or other governmental agency audit report.

Internship Program

Consultant shall commit to providing at least two (2) paid internships per year to work on the Project for the duration of the Project. Interns shall be students enrolled in college or graduate school programs that are relevant to work being performed by Consultant in furtherance of the Project. Each internship shall be a minimum of three (3) months in duration and at least 20 hours per week. The requirement for internships is limited to non-DBE prime consultants and may not be imposed by the Consultant on any subconsultants on the Project.

Consultant shall be responsible for the establishment and on-going management and supervision of the Internship Program.

III. SCHEDULE OF EVENTS

The following tentative schedule has been prepared for this project:

First day contributions are prohibited:	December 3, 2024
Pre-Submittal Conference:	November 25, 2024, 10:00 am, CT
Deadline for Submission of Written Questions:	December 6, 2024, 4:00 pm, CT
Responses Due:	January 10, 2025, 10:00 am, CT
Evaluation of Submittals	February 2025
Interviews	March 2025
Anticipated City Council Consideration	April/May 2025

IV. PRE-SUBMITTAL CONFERENCE

A non-mandatory Pre-Submittal Conference is scheduled, for **November 25, 2024, at 10:00 a.m. CT**. The Pre-Submittal Conference will be held in-person and via WebEx meeting. Prospective Respondents may join the WebEx using the following instructions:

Join by phone: 1-415-655-0001

Meeting number (access code): 2632 508 2975

Meeting password: COSA2024

Join meeting:

<https://sanantonio.webex.com/sanantonio/j.php?MTID=m2384a98f145a3f166b01fb7c3ddd4920>

Attendance at the Pre-Submittal Conference is optional, but highly encouraged. Respondents who join the WebEx Pre-Submittal Conference are required to sign into the meeting using a QR code provided only during the meeting. This will confirm Respondent's attendance and participation for the Pre-Submittal meeting through WebEx.

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,** and via WebEx meeting. The meeting is located adjacent to the San Antonio Airport in the Airport Center office building.

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 third 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.

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>.

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. 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.

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 Statement of Qualifications (SOQ). Each SOQ 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 qualifications 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 SOQ 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 and respondents team members 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. **PROFESSIONAL SERVICES AGREEMENT TEMPLATE AND GENERAL CONDITIONS REVIEW (Indexed and labeled as "Tab 3")** – Respondent shall review the Contract Template and 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 City's Contract Template and General Conditions, in Respondent's submitted proposal under **"Tab 3"**.
4. **LETTERS OF REFERENCE (required) (Indexed and labeled as "Tab 4")** – Respondent and Co-Respondents must provide a maximum of five (5) letters of reference including contact information for projects completed within 5 years.
5. **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, Key Personnel, and Key Sub-Consultants (55 Points)

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

1. **Experience (Indexed and Labeled as "Tab 5")** – City shall consider the relevance of past experience of Respondent and respondents team members. Respondent shall provide a narrative, on (1) page, describing the Respondent's qualifications, as they relate to the referenced scope of services in this solicitation. **Special attention should be given to experience of similar size and complexity as reflected in the scope of work.**
2. **Project Sheets (Indexed and Labeled as "Tab 6")** – Respondent's SOQ shall include a maximum of three (3) project sheets, limited to one (1) page for each project included, which shall describe similar design projects Respondent has completed within the last ten (10) years. Each project sheet shall include the following:

1. Name, description and dollar value of the completed project, including any similarity to the Project defined in this solicitation;
2. Year(s) of work on the cited project;
3. Respondent's role in the cited project;
4. Project Designer;
5. Design Support Staff;
6. Cited project's original and final contract amounts (explain inconsistencies);
7. Cited project's proposed completion date and the actual completion date achieved (explain inconsistencies);
8. Cited project's owner's name and the name of the representative (if different) who served as the day-to-day liaison for the cited project, in the following format:
 - a. Name of Owner: _____
 - b. Name of Owner's representative: _____
 - c. Representative's Phone Number: _____
 - d. Representative's E-mail: _____

3. Proposed Key Personnel/Organizational Chart (Indexed and Labeled as "Tab 7") – Provide a detailed organizational chart of Respondent's proposed team, including subcontractors, identifying key personnel who will be committed to work on the various tasks for this Contract.

Label assignments as:

- a. Principal/Partner;
- b. Project Manager(s);
- c. Senior Project Architect/Engineer;
- d. Project Architect/Engineer;
- e. Subconsultants (for any services deemed necessary to fulfill the duties of this contract)

4. Resumes (Indexed and Labeled as "Tab 8") – Respondent must submit one (1) page resumes for all its key team members, to include subcontractors. Resumes should link to project sheets and may include additional previously completed relevant projects not highlighted in the project sheets.

Resumes also shall include:

- a. The license type (if applicable) and number of years licensed,
- b. Number of years employed with the firm,
- c. Number of years' experience in proposed role corresponding to the assignments included in the organizational chart,
- d. City of residence

5. Experience Matrix for Proposed Staff (indexed and labeled as Tab "9") – Complete the **Experience Matrix for Proposed Staff (Form #8)** to include all proposed team members, Prime and Sub-Consultants indicating demonstrable experience (in years) of each individual proposed on the Organizational Chart. The form may be duplicated if more than one page is needed.

6. Experience with Contractors selected under an Alternative Delivery Method (Indexed and Labeled as “Tab 10”)

Respondent shall limit its response to the following items to a total of one (1) page.

Describe Respondent's experience in working in a collaborative team environment with a contractor selected by using an Alternative Delivery Method.

7. Experience with Municipally Owned Airports & Past Performance (Indexed and Labeled as “Tab 11”)

1. The City is interested in evaluating Respondent's team (including Sub-consultants(s), if applicable) experience with local processes and practices, as may be evidenced by work in San Antonio and/or the surrounding area, during the past five (5) years. In narrative form, using a maximum of two (2) pages for Respondent's response and one (1) page for Sub-consultants(s) response, if applicable, briefly describe Respondent's team experience in the areas listed below, referencing projects relating to that experience. (Note: Respondent may reference projects included in the project sheets under **Criteria A** above, but no additional project sheets shall be provided for this criterion, as the response shall be in narrative form.)

- a. Blending of municipal, State, and Federal requirements into the Project
- b. Construction costs, practices, and delivery methods.
- c. Incorporation of local environmental conditions and constraints.
- d. Respondent's experience with private and public utilities as it relates to both a City project as well as a developer-type project.
- e. Involvement in project development as it relates to public, or tenant awareness in the project's local area.

2. More than one (1) project may be referenced per page, and projects should be discussed in reverse chronological order. (Note: You may reference projects by project name included in the project sheets under **Criteria A** above or include other projects, but no additional project sheets shall be provided for this criterion, as the response shall be in narrative form.) If you are referencing a project that is not included in the project sheet section, please include the following information:

- a. Project name and description of scope.
- b. Respondent's project role and work performed.
- c. Names of Respondent's team members who worked on the project, if applicable.
- d. The contact information of the project's owner or representative (if different) including name, email, and phone number and be willing to respond to questions.

Note a portion of the scoring for this **Section C** may be based on City's Consultants' Scorecard, experience with City and Airport projects and/or other documentation generated by City/Airport staff and previous City/Airport Consultants on other City/Airport projects. City shall consider the history of Respondent in complying with project programs, schedules and budgets on previous City and Airport projects. Specific items used for consideration may include, but are not limited to:

- a. Timely completion of City projects.
- b. Cooperative working relationship with City.
- c. Prompt payment of Sub-consultants at all levels.
- d. Compliance with other City contract terms.

- e. Compliance with City Ordinances on substitution/addition/deletion of Sub-consultants.
- f. Compliance with City standards.
- g. Conformance to City budget requirements.

3. Reference checks may be performed with Owners indicated on the submitted project sheets submitted as Tab “7” and considered as part of this criteria.

8. Experience and Commitment with Green Building and Sustainability Practices (Indexed and Labeled as “Tab 12”)

Respondent shall limit its response to the following items to a total of one (1) page.

- a. Describe Respondent’s experience in the design of buildings or infrastructure that have been designed as per established green and sustainable design practices.
- b. Provide a list of all Green Building certifications/accreditations held by Respondent’s team members- e.g. LEED Accredited professionals or specialized trainings and certifications.
- c. Describe Respondent’s experience in design of horizontal infrastructure with green and sustainable practices.

B. Understanding of the Project and Proposed Management Plan (35 Points)

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

1. Project Understanding (Indexed and Labeled as “Tab 13”)

Respondent shall limit its response to the following items to two (2) pages:

- a. Describe Respondent’s understanding of the primary objectives of the Project.
- b. Describe the constraints and technical challenges related to the engagement of key ASEIP Stakeholders such as the FAA, DoD, TxDOT, Construction Manager at Risk (CMAR), local Utilities and Airport Staff during design, bidding/solicitation, and construction phases that the Respondent foresees. Provide an approach on how Respondent plans to address each challenge.
- c. Describe the constraints and technical engineering challenges anticipated and how the team will address each challenge.

2. Proposed Management Plan (Indexed and Labeled as “Tab 14”)

Respondent shall limit its response to the following items to a total of eight (8) pages:

- a. Include approach to team formation, coordination of team members, and the extent to which the team and/or sub-consultants have worked together in the past.
- b. Describe Respondent’s project management approach to include plan for dealing with unforeseen changes in teaming or staffing.

- c. Describe Respondent's approach to design management including quality control and quality assurance for the Prime and Sub-consultants.
- d. Describe Respondent's approach to construction administration and oversight including document control, quality control, quality assurance, and dispute resolution.
- e. Describe Respondent's approach to schedule management for all phases of the project.
- f. Describe Respondent's approach to design, procurement, installation, and activation of FAA NavAids and other FAA facilities.
- g. Describe Respondent's approach and ability to coordinate with all Project stakeholders to include FAA, JBSA, TxDOT, CPS Energy, CMAR, Airport Tenants, etc. and to provide seamless, successful delivery of the services outlined in this solicitation.

3. Commitment to Green Building and Sustainability Initiatives, Practices, and Implementation (Indexed and Labeled as "Tab 15")

Respondent must limit its response to the following items to a total of two (2) pages:

- a. Describe Respondent's commitment to Green and Sustainability initiatives and practices and how these initiatives and practices will be incorporated into this Project.
- b. Describe Respondent's initiative in reducing Greenhouse Gas (GHG) emissions and Respondent's plan to reduce the emissions during the construction phase for this Project.

C. Disadvantaged Business Enterprise (DBE) Program Requirements – (10 Points)

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 C**. 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 11% 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 C)** 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.

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 C, and DBE Forms 1-7

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.

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

EVALUATION CRITERIA

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.

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 Exhibit C and Attachment (DBE Forms 1-7). 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.

Below is the Evaluation Criteria Summary:

Evaluation Criteria Summary	Maximum Points
A. Experience, Background, Qualifications of Respondent, Key Personnel, and Key Sub-Consultants	55
B. Understanding of the Project and Proposed Management Plan	35
C. Disadvantaged Business Enterprise (DBE) Program	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 and Co-Respondents must include the completed Submittal Cover/Signature Sheet with the other required forms. The Submittal Cover/Signature Sheet must 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 must 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. **CONTRACTS DISCLOSURE FORM (Form #3)** – Complete and submit a Contracts Disclosure Form with the proposal. The Contracts Disclosure Form may be downloaded and completed electronically at: <https://webapp1.sanantonio.gov/ContractsDisclosure/>

Click on the “Print” button at the bottom of the page and place a copy in proposal response as indicated in the Proposal Checklist.

3. **LITIGATION DISCLOSURE FORM (Form #4)** – Respondent, Co-Respondent and all subcontractors on this project must 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. **DISADVANTAGE BUSINESS ENTERPRISE (DBE) PROGRAM GOOD FAITH EFFORT PLAN (Form #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 & DBE Form 4, *Final Schedule of Subcontractors* (DBE Form 4), *Bidders List Collection* (DBE Form 5) and *Affirmation of DBE Participation* (DBE Form 6). DBE Current Certificates for all DBE firms identified, if applicable submit Good Faith Effort Criteria and DBE LLC/Joint Venture Information (DBE Form 7) 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.

THE DBE GOAL FOR THIS CONTRACT WILL BE 11%.

5. **VETERAN-OWNED SMALL BUSINESS PROGRAM TRACKING FORM (VOSB) (Form #6)** – Respondent must submit a completed and signed VOSB Tracking form with this solicitation. This solicitation is not eligible for a preference based on status as a veteran-owned small business (VOSB). Nevertheless, in order to determine whether the program can be expanded at a later date, the City tracks VOSB participation at both prime contract and subcontract levels. San Antonio City Code Chapter 2, Article XI describes the City’s veteran-owned small business preference program.
6. **HEAT ILLNESS PREVENTION ACKNOWLEDGMENT FORM (Form #7)** – 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).

7. **EXPERIENCE MATRIX FOR PROPOSED STAFF** - To include all proposed team members, Prime and Sub-Consultants indicating demonstrable experience (in years) of each individual proposed on the Organizational Chart. The form may be duplicated if more than one page is needed.
8. **LETTER OF INSURABILITY** – Submit a letter from insurance provider stating provider’s commitment to insure the Respondent for the types of coverages and at the levels specified in this RFQ if awarded a contract in response to this RFQ. Respondent shall also submit a copy of their current insurance certificate.
9. **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 RFQ 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 Statement of Qualifications on **November 15, 2024**, and close on **January 10, 2025, at 10:00 a.m. CT**. Follow submittal instructions on <https://www.CivCastusa.com/>. **Hard copies of submittals 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. RESTRICTION 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 may ask verbal questions concerning this RFQ at the Project's Site-Visit Meeting if one is scheduled.
3. Respondent must submit questions concerning this RFQ through the CivCast website at <https://www.CivCastusa.com/bids> until **December 6, 2024, at 4:00 p.m. CT**. Questions received after the stated deadline will not be answered.
4. 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 City's Disadvantage 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.
5. Respondent shall 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.
6. 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. Prohibited Financial Interest

The Charter of the City of San Antonio and the City of San Antonio Code of Ethics prohibit a City officer or employee, as those terms are defined in §§ 2-42 and 2-52 of the Code of Ethics, from having a direct or indirect financial interest in any contract with City. 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:

- A City officer or employee; their spouse, sibling, parent, child, or other family member within the first degree of consanguinity or affinity;
- An entity in which the officer or employee, or their parent, child or spouse directly or indirectly owns 10% or more of the voting stock or shares of the entity, or 10% or more of the fair market value of the entity; or
- An entity in which any individual or entity listed above is (i) a subcontractor on a City contract, (ii) a partner or (iii) a parent or subsidiary entity.

By submitting a proposal, Respondent warrants and certifies, and a contract awarded pursuant to this RFQ is made in reliance thereon, that it, its officers, employees and agents are neither officers nor employees of the City.

- H.** Respondent is required to complete and submit a Contracts Disclosure Form with the proposal. The Contracts Disclosure Form may be completed electronically:

<https://webapp1.sanantonio.gov/ContractsDisclosure/>

Click on the "Print" button at the bottom of the page and place a copy in your proposal response as indicated in the Proposal Checklist.

For more information on Ethics Code and Disclosures, please visit:

<https://www.sa.gov/Directory/Departments/OCC/Ethics>.

For more information on updates to the Ethics Code and Municipal Campaign Finance Code,

approved by City Council on May 2, 2024, and were effective on October 1, 2024, please visit: <https://www.sa.gov/Directory/Departments/OCC/Ethics/Revisions>. Resources are available to include a Vendor Frequently Asked Questions (FAQs) with key changes and compliance requirements for vendors working with the City, including non-profit organizations. 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 RFQ 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 RFQ is made in reliance thereon, that it, has not knowingly or intentionally failed to comply with this subchapter in a previous RFQ 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.