



**CITY OF HOUSTON
HOUSTON AIRPORT SYSTEM
REQUEST FOR QUALIFICATIONS (RFQ)
SOLICITATION NO.: H93-EFDFA-2024-003
DESIGN-BUILD SERVICES FOR THE TEXAS SOUTHERN
UNIVERSITY (TSU) FLIGHT ACADEMY
AT ELLINGTON AIRPORT (EFD)**

Date Issued: August 18, 2023

Pre-Submission Conference: August 31, 2023, at 1:00 P.M., CT

In-Person
Lone Star Flight Museum Events Center
11551 Aerospace Ave., Houston, Texas 77034

A site visit will take place immediately after the conference.

Questions Deadline: September 6, 2023, at 12:00 P.M., CT

Solicitation Due Date: September 28, 2023, at 2:00 P.M., CT

Solicitation Contact Person: Amanda Joseph
Sr. Procurement Specialist
Supply Chain Management, Houston Airport System
(346) 833-2044
Amanda.Joseph@houstontx.gov

Project Summary: The Houston Airport System is seeking Statements of Qualifications from experienced and qualified firms to design and build an aircraft hangar, educational facility wing, vehicle parking, driveway aprons and landscaping at Ellington Airport.

NIGP Code: 906-25

M/WBE Goal for Design: 26%

DocuSigned by:

A blue ink handwritten signature, appearing to read "Jedediah Greenfield", written over a blue scribbled line.

6121934A077C41A...

Jedediah Greenfield
Chief Procurement Officer
City of Houston

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1.0 GENERAL INFORMATION

The City of Houston (City) invites interested firms to submit Statements of Qualifications (SOQ) for Design-Build service delivery in accordance with Texas Government Code Chapter 2269, Subchapter G, for the design and construction of a new aircraft hangar, educational facility wing, parking and landscaping at Ellington Airport.

1.1 The City is seeking a project team approach for design and construction with a focus and commitment to achieve design and construction excellence.

1.2 The Basis of Design Package is provided as Attachment B in this solicitation.

2.0 BACKGROUND

2.1 The Houston Airport System (HAS) has identified an existing proposed site at Ellington Airport (EFD) to be used for an Aircraft Hangar and Educational Facility. This site will have an Aircraft Hangar to park approximately fifteen (15) Group 1 aircraft (140' X 160' X 28' clear height) and an Educational Wing (90' X 60'), parking for approximately 20 vehicles, landscaping and a gated chain-link fencing secured facility from the Air Operations Area (AOA) per HAS standards. All work will be performed per the standards and regulations of HAS, Federal Aviation Administration (FAA), Houston Public Works and any other local governmental authority having jurisdiction.

3.0 OBJECTIVES

3.1 Objectives for Project delivery are as follows:

3.1.1 Quality: Deliver a project that exceeds the minimum performance specification outlined in the Basis of Design.

3.1.2 Cost: Obtain the most cost effective design and construction that will optimize the total cost of ownership for HAS.

3.1.3 Schedule: Achieve the scheduled completion dates for design, construction, and performance testing of the Project. Anticipate night work shifts during construction and other off-hour work schedules.

3.1.4 Public: Provide a safe and effective project that minimizes nuisance impacts to the public.

3.1.5 Traffic: Maintain existing traffic patterns at all times.

3.1.6 Risk: Effectively manage and achieve an optimal balance of risk allocation between HAS and the Design-Build Contractor.

3.1.7 Safety: Manage and implement an effective safety program incorporating industry best practices.

3.1.8 Accountability: Provide for a single point of accountability for performance of all services under the Design-Build Agreement.

3.1.9 Collaboration: Provide for coordinated design development, with the Design-Build Contractor eliciting HAS input in a manner that preserves Design-Build Contractor's sole responsibility for the achievement of Project performance objectives while meeting HAS objectives associated with cost, quality, aesthetics, and long-term operability.

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4.0 SCHEDULE

4.1 The City may hold interviews to clarify responses for the benefit of the Department’s interest. Respondent(s) shall be prepared to accommodate the schedule requirements throughout the procurement process so as not to unreasonably extend the length of the procurement process. Respondent(s) may be required to provide additional information before the City selects a response that best meets the RFQ requirements.

5.0 SOLICITATION SCHEDULE

5.1 The following schedule has been established for this Solicitation process. The City reserves the right to modify the schedule during the Solicitation process. Changes/Updates will be posted on the HAS website (<https://www.fly2houston.com/biz/opportunities/solicitations/>) via Letter(s) of Clarification.

EVENT	DATE
Date RFQ Published	8/18/2023
Pre-Submission Conference	8/31/2023
Questions from Respondents Due to City	9/06/2023
Step One – SOQ Submission Due from Respondent	9/28/2023
Notification of Shortlisted Firms (Estimated)	10/10/2023
Step Two – Technical and Cost Proposals Due (Estimated)	10/23/2023
Oral Interview/Presentation (Estimated)	11/02/2023
Negotiation (Estimated)	11/10/2023
City Council Agenda Date (Estimated)	11/29/2023
Contract Start (Estimated)	1/11/2024

6.0 PROCUREMENT PROCESS OVERVIEW

6.1 Procurement Approach

6.1.1 This Request for Qualifications (RFQ) represents **Step One** of the procurement process and establishes the process for soliciting and evaluating Statements of Qualifications (SOQs) from those entities (Respondents) interested in serving as the Design-Build Contractor.

6.1.2 The City will conduct a Pre-Submission Conference in person for this solicitation. Please refer to the procurement schedule for exact details of the date and time. At the conference, the City will present an overview of the Project scope, including the procurement process, schedule, and required forms for the Project. Attendance is highly recommended.

6.1.3 The SOQs will be reviewed and evaluated in accordance with this RFQ to develop a Shortlist of Respondents deemed the most qualified to execute the Design-Build Project on behalf of the City. Firms shortlisted will receive an invitation to proceed to **Step Two** of the process.

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- 6.1.4 During **Step Two** of the procurement process, the City will evaluate the shortlisted firms based on the established criteria (Section 12.4) for Oral Interview/Presentation.
- 6.1.5 Upon determining the Most Qualified Respondent, at the appropriate time, the City shall commence contract negotiations. If the City is unable to negotiate a satisfactory contract with the Respondent, the City shall formally and in writing, end all negotiations and proceed to negotiate with the next Respondent in the order of the selection ranking until a contract is reached or negotiations with all ranked Respondents end.

6.2 Contracting Approach

- 6.2.1 The City plans to award the Design-Build Contract to the Respondent with the “Best Value” criteria defined herein:
 - 6.2.1.1 The Design-Build firm will perform services for this Project under a Two-Phase delivery method as follows:

Phase 1 – New Facility Design and Permitting and Construction Services: This phase will commence shortly after award of the Contract and upon issuance of a Notice to Proceed (NTP) by the City and in accordance with the accepted Guaranteed Maximum Price (GMP) for producing the Final Design, Permitting and Construction based on the documents in appendix B. The culmination of this phase of service will include negotiation of a Guaranteed Maximum Price (GMP), design and permitting services for the new facility in accordance with the Scope of Work. Phase 1 includes design and permitting activities for the new facility.

Phase 2 – New Construction Services: The Phase 2 – Construction NTP is constrained completion of Design and obtaining permit approvals. Therefore, Phase 2 will commence only upon issuance of building permits by the City and will be completed in accordance with the Scope of Work. Phase 2 of construction includes the build out of the new hangar, educational wing and site work, and any other required items for complete buildout and full occupancy.

PART II – SCOPE OF WORK/GENERAL REQUIREMENTS

7.0 GENERAL REQUIREMENTS

- 7.1 The City of Houston will rely upon the contractor to verify that any prospective participating vendors and subcontractors are appropriately licensed, insured, and the Prime has arranged to work with a bonding company as well as financial institution; provide quality work; and meet all other requirements specified by the Agreement pursuant to procedures and policies of the City. The City reserves the right to add, delete, or modify any requirements at its discretion.

8.0 QUALIFICATIONS OF RESPONDENTS

8.1 Demonstrated Competence and Qualifications

- 8.1.1 All Respondents must propose qualified personnel and team members to accomplish the services required by the City as described herein. Design portions of the work must be executed by appropriately licensed Architects and Engineers. Professional service practitioners under this contract shall be licensed to practice in the State of Texas.

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8.2 Performance and Payment Bonds

8.2.1 Respondents are on notice that, as provided in Chapter 2269 of the Texas Government Code, the Design-Build Contractor will be required to provide performance and payment bonds on forms prescribed by the City no later than the 10th Calendar Day after the date the Design-Build Contractor executes the Design-Build Agreement. The penal sums for the performance and payment bonds must be in an amount equal to the estimated Cost of the Work.

8.3 Surety Letter of Intent

8.3.1 Respondents shall fill out Surety Letter of Intent form, Exhibit I.

8.4 Financial Capabilities

8.4.1 Respondents are required to submit in a separate, sealed envelope, clearly marked "Financial Statements," one (1) stamped "Original" and one (1) copy of its Financial Statements with its Submittal.

8.4.2 If Respondent is an entity that is required to prepare audited financial statements, Respondent shall submit an annual report that includes:

8.4.2.1 Last two years of audited accrual-basis financial statements, including an income statement, cash flow statement, and balance sheet;

8.4.2.2 If applicable, last two years of consolidated statements for any holding companies or affiliates;

8.4.2.3 An audited or un-audited accrual-basis financial statement of the most recent quarter of operation; and

8.4.2.4 A full disclosure of any events, liabilities, or contingent liabilities that could affect Respondent's financial ability to perform this contract; OR

8.4.2.5 Other financial information sufficient for the City, in its sole judgement, to determine if Respondent is financially solvent or adequately capitalized.

8.5 Safety Records – EMR and OSHA

8.5.1 Respondent is required to submit in a separate, sealed envelope, clearly marked "Safety Records", one (1) stamped "Original" and one (1) copy of its Safety Records with its Submittal as described below:

8.5.2 If Respondent is a Joint Venture, each member of the Joint Venture, must have an Experience Modification Ratio (EMR) at or below .95 for the previous 12 months (based on the RFQ issuance date). This information must be validated in a letter from the Respondent's insurance carrier. Respondent if a Joint Venture, each member of the Joint Venture, shall provide an OSHA Form 300A Summary of Work – Related Injuries and Illnesses for all company activities in the past five (5) years.

8.5.3 If the Respondent or any member of the Joint Venture received a citation from OSHA in excess of serious (i.e., wilful) within the previous five (5) years, provide details.

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8.6 Joint Ventures (JV) or Partnerships

8.6.1 If the Respondent is a joint venture or partnership, the Respondent must submit with its SOQ a copy of the partnership or joint venture or current teaming agreement. The agreement must describe the scope and amount of work each participant will perform and contain a provision that each participant will be jointly and severally liable to the City for completing all of the work and to third parties for all duties, obligations and liabilities which arise out of the joint venture's performance of the work. See required forms described in Section 18.0.

8.6.2 Each firm of the joint venture or partnership must respond to all elements of the required forms described in Section 18.0 separately. The firms must each submit a complete set to the City at the time the responses are due.

8.6.3 Only one firm of the joint venture or partnership needs to meet or exceed each of the SOQ Experience Requirements in order to be further evaluated as a Respondent.

8.7 Prohibitions

8.7.1 Prime Respondent Prohibitions

Firms, joint ventures or teams who are performing work or have performed work as a Prime Contractor/Prime Consultant for the City on the planning, environmental, design, engineering, program oversight or program management of this Program (listed in Attachment D) are prohibited from participating on this Project.

8.7.2 Prohibition Questions

Should you have any questions regarding the applicability of these prohibitions to your firm, potential team, potential joint venture, potential subcontractors or potential sub consultants, please direct a very specific question to:

Attention: Amanda Joseph, Senior Procurement Specialist
Subject: "PROHIBITION QUESTION – RFQ – Design-build services for the TSU Flight Academy at Ellington Airport (EFD)"

Email address: Amanda.joseph@houstontx.gov.

8.7.3 Any Respondents who submit a SOQ that involves prohibited firms, joint ventures, or teams will be rejected as non-responsive regardless of whether that Respondent sought prohibition clarification or not. Respondent's failure to submit a specific prohibition question is not an excuse. City is the sole judge of which firms are prohibited from proposing on this Project.

8.8 Respondent References

8.8.1 Respondents shall provide client references that include the client names, addresses, telephone numbers, and email addresses as described in Exhibit L. City will contact the referenced clients to verify Respondent provided information and/or to solicit comments.

8.8.2 References must be people that were directly involved in the previous projects listed and who have first-hand knowledge of the performance of the Respondent and its proposed staff/team.

8.8.3 Bad results of the City's survey on reference provided and/or any information stated in the response found and determined by the City to be a misrepresentation of a

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Respondent's past experiences may be considered as grounds for disqualification of the response and Respondent may be banned from participation in future RFQ's from the City.

8.8.4 Submission of qualifications indicates Respondent's acceptance of the evaluation techniques and the recognition that subjective judgments must be made by the City, their respective representatives, advisors, and attorneys ("Investigating Parties") during the evaluation process. Each Respondent, by submission of its response, acknowledges and understands that the Investigating Parties will perform investigations into the Respondent's past performance, character, financial capacity, and experience and agrees that submission of a response acts to waive and release any and all of the Respondent's claims against the Investigating Parties in relation to such investigations and, further, that submission of a response acts as an authorization by the Respondent for the Investigating Parties to request and obtain information concerning the respective Respondent and as authorization for any party to whom the Investigating Parties directs an inquiry, to release the information so requested.

8.9 M/WBE Plan – Pass/Fail

8.9.1 Provide the necessary requirements described in Section 15.4 of this solicitation and the goal set forth in Section 15.5.

8.9.2 The Respondent may be considered non-responsive if it fails to meet the M/WBE requirements.

9.0 OTHER INFORMATION

9.1 Validity Period

9.1.1 All submissions under this RFQ must be valid for a period of one-hundred and eighty (180) consecutive calendar days from the date of receipt by the City.

9.2 Only One Submission Accepted

9.2.1 The City will accept only one submission for this solicitation from any one Respondent. This includes submissions received under different names by one firm, corporation, partnership, or joint venture. Evidence of collusion among Respondents shall be grounds for exclusion of any Respondent who is a participant in any such collusion. Optional offers submitted in addition to conforming submissions will not be reviewed. A firm may not participate in more than one joint venture or participate as a prime contractor on more than one team who is submitting a response to this RFQ.

9.3 Authorized Signatures

9.3.1 When signing the Response, each party signing must:

9.3.1.1 State that the facts represented in the submission are true and correct; and

9.3.1.2 The Signer has authority to sign on behalf of the contracting entity.

9.4 Information Requested and Not Furnished

9.4.1 The information requested and the manner of submission is essential to permit prompt evaluation of all Responses. Accordingly, City reserves the right to declare as non-responsive and reject any Responses in which information is requested and is not

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furnished (within the City's time limits) or when a direct or complete answer is not provided.

9.5 Designation of Independent Engineer

9.5.1 Pursuant to Chapter 2269 of the Texas Government Code, an independent Engineer is hereby designated to act for the duration of the Project. The designated City Engineer for this Project is: Eren Selcen, P.E.

9.6 Stipend For Unsuccessful Respondents

9.6.1 The Stipend is zero dollars.

9.7 Response Errors

9.7.1 Omissions and Errors

Respondent is liable for all errors or omissions incurred by Respondent in preparing the response. Respondent will not be allowed to alter response documents after the due date for submission unless a request is made in writing which thoroughly describes the circumstances, and which is approved by the City in writing. Nothing herein shall be construed to entitle Respondent to alter response documents except as required by law.

9.7.2 Corrections after Submission

The City reserves the right to make corrections or amendments due to errors identified in the Response by the City or the Respondent. This type of correction or amendment will only be allowed for errors as typing and transposition. All changes must be coordinated in writing with and authorized by the City.

9.7.3 Incorrect Response Information

If the City determines that a Respondent has provided incorrect information for consideration in the evaluation process, which the Respondent knew or should have known was materially incorrect, that Response may be deemed nonresponsive and the Response may be rejected or may be accepted in City's sole discretion.

9.7.4 Prohibition of Alternate Terms and Conditions

Respondent shall not submit its own Contract terms and conditions in response to this RFQ. If a response contains supplemental terms and conditions, the City, at its sole discretion, may determine the response to be a non-responsive counteroffer, and the response may be rejected.

9.7.5 Waiver of Minor Administrative Irregularities

City reserves the right, at its sole discretion, to waive minor administrative irregularities contained in any Response submitted for this solicitation.

9.7.6 Withdrawal of Responses

Respondent may withdraw its submitted response at any time prior to the specified response due date and time. Withdrawals of the response must be by written request. After withdrawing a previously submitted response, the Respondent may submit another response at any time up to the specified response due date and time.

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PART III – EVALUATION, SCORING AND SELECTION PROCESS

10.0 RFQ SCORING PROCESS

- 10.1 Evaluation committee members shall review the Evaluation Committee Guidelines and sign Nondisclosure Agreements before receipt of proposals or submissions.
- 10.2 The team leader shall review all submittals to determine if they are responsive and that the respondent is responsible. If the team leader believes any of the submittals are not responsive or responsible, he or she shall consult with the Procurement Officer. Any nonresponsive or non-responsible submittals shall be withheld from the evaluation committee by the team leader. The team leader shall distribute the submittals to evaluation committee members along with a scoring matrix for the procurement. Each committee member shall be assigned a letter or a number to use for the scoring form; individual names will not be attributed to the individual scoring forms. Each evaluation committee member shall independently review the submission and score each criteria (sub-criterion) against the total number of points allocated for that criteria. Only evaluation committee members shall have voting rights; observers shall not vote.
- 10.3 At the evaluation committee meeting, the committee members will discuss their scores and the reasons for their scores, noting strength and weakness of each submittal. **Each submittal will be evaluated on its own merits, not compared to others.** Committee members may revise their scores—up or down—based on observations made by other members or observers.
- 10.4 If oral interviews are held, the expectation is that the firms will explain to the evaluation committee why their team is the best qualified for the Project. In preparation for the interview session, the short-listed firms will be provided, in advance, with a list of questions that will be asked of all short-listed firms. In addition to the standard questions, individual committee members may ask questions specific to a particular submission. If oral interviews are held, the committee members shall convene and discuss their impressions immediately following each interview, if possible. If the discussion must occur later, it should occur as soon as practicable thereafter. The discussion shall focus on strengths, weakness, and any new observations the committee may have on the particular vendor as applied to the criteria set forth in the solicitation. After discussion, the committee members shall update their scores for each criterion and record their updated scores on the scoring matrix (even if any member does not change the score on any criteria, he or she shall enter the final score on the matrix) based on the firms explanation regarding its qualification for the Project and responses to interview questions (both standard questions and questions specific to the submission/proposal, if any). The team leader shall collect the scoring matrices.
- 10.5 After all scores have been updated, the submittals shall be ranked in order of the scores from greatest to least. Further clarifications may be requested from one or more of the top firms, if the committee so decides.
- 10.6 The team leader shall document the rationale for the committee’s recommendation. The summary of the process shall be circulated to all committee members for their input and ultimate approval.
- 10.7 No later than the 7th day after the date of the contract is awarded, the City shall make the rankings public.

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11.0 STEP ONE: REQUEST FOR QUALIFICATIONS

11.1 Overview

Step one of the Response shall consist of the SOQ with the required forms described below.

11.2 City Required Forms

11.2.1 The Respondent shall complete all the City required forms enclosed herein as Section 18.0 - and shall initial any and all alterations or erasures in its submissions. The Respondent shall not delete, modify, or supplement the printed matter on the City required forms, or make substitutions thereon.

11.3 City Required Forms Format

11.3.1 Contents of Envelope #1 will include one (1) original and one (1) copy of the City required forms described in Section 18.0, as well as an electronic PDF copy on a non-returnable USB drive affixed to the original.

11.3.2 The hard copies shall be bound using 8½” by 11” pages with no staples.

11.3.3 The Respondent shall ensure that each page of its response is identified with the Project name and Respondent’s name and page number.

11.4 City Required Forms Review

11.4.1 The City required forms will be reviewed for compliance. The Respondent’s failure to comply with the instructions or to submit a complete Response may result in the response being deemed non-responsive.

11.5 Statement of Qualifications Format and Content

11.5.1 Contents of Envelope #2 will include one (1) original of Statement of Qualifications (SOQ) signed in **BLUE** ink and ten (10) hard copies, as well as an electronic PDF version of the same on ten (10) non-returnable USB drives affixed for the original. Original to be marked as “**Original**” and copies to be marked as “**copy 1 of X**” etc.

11.5.2 Each copy of the SOQ shall be bound using GBC or other semi-permanent binding method, to ensure that pages are not lost. Pages shall be no larger than letter-size (8½” by 11”) or folded to that dimension, twice letter size (11”x17”). Each section (defined below) shall be separated by a tabbed divider. Elaborate covers, binders, dividers, etc. are not required. Document text should be in Arial 11-point font and must be consistent throughout the document. Each RFQ response shall be organized in the following order:

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11.5.3

Step 1: RFQ Content
Cover Letter / Transmittal Letter / Introduction / Similar Project Experience / and Executive Summary
Similar Project Experience
Project Approach
Firm(s) Qualifications
Project Team Qualifications
Design Services for the TSU Flight Academy at Ellington Airport (EFD)
Management and Staffing Plan
Project Controls
Financial Capabilities
Safety Record (Experience Modification Ratio)
OSHA Citations
M/WBE Plan (Design)

- 11.5.4 The Respondent shall ensure that each page of its response is identified with the Project name and Respondent’s name and page number.
- 11.5.5 Responses shall include tabbed section indicators and tab pages shall not include any content, graphic or text other than header of the section.
- 11.5.5.1 SOQ responses which contain unnecessarily elaborate artwork, marketing brochures or expensive paper and/or bindings are highly discouraged.
- 11.5.5.2 All forms provided in this RFQ shall use the exact format provided.
- 11.5.5.3 All responses must be submitted in accordance with this RFQ. Responses shall be in writing and Respondents shall complete and return all applicable documents. If the response does not conform to the City’s requirements, the response may be deemed non-responsive and therefore, not be considered for further evaluation. The contents of the response shall be complete in description and concise in volume. Any supplementary artwork, visual aids, films, and other extraneous materials will not be accepted unless it specifically addresses the requirements for approach and/or information.
- 11.5.6 Statement of Qualifications shall be delivered to the address below not later than 2:00 P.M., CT, Thursday, September 28, 2023, to:

Houston Airport System Administration Building
16930 John F Kennedy Blvd.
Houston, Texas 77032
Attention: Cathy Vander Plaats, Aviation Procurement Officer
- 11.5.7 The City reserves the right to extend the due date for this Request for Qualification as deemed necessary and in its best interests. Any postponement of the due date will be issued as a Letter of Clarification (LOC) to this RFQ. The submission of a SOQ does not in any way commit the City to enter into an agreement with that Respondent or any other Respondent.

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11.5.8 The City reserves the right to cancel this RFQ, accept or reject, in whole or in part any all or SOQs received in the best interest of the City.

11.5.9 **Fees or pricing shall not be submitted in Response to Step One of this RFQ, as defined by Texas Government Code 2269 for a Two-Step Design-Build selection process. If fees, prices, or cost are included in Step One of this RFQ, the Response will be deemed non-responsive.**

11.6 **Step One - Statement of Qualifications Evaluation**

11.6.1 **Selection Process:**

11.6.1.1 Based on the number and quality of submittals to this RFQ, the evaluation committee may form a short list of firms, whose submittals provide the most desirable methods for providing the services. In developing the short-list, the committee will consider, among other things, the criteria described in Section 11.7. Respondents will be evaluated with the scoring criteria established below:

Step 1: RFQ Evaluation Criteria	Weights
Similar Project Experience	15 points
Project Approach	15 points
Firm(s) Qualifications	15 points
Project Team Qualifications	20 points
Design Services of Aircraft Hangar, Educational Facility, Parking and Landscaping	10 points
Management and Staffing Plan	15 points
Project Controls	10 points
TOTAL SCORE	100 Points
Financial Capabilities	Pass/Fail
Safety Record (Experience Modification Ratio)	Pass/Fail
OSHA Citations	Pass/Fail
M/WBE Plan (Design Services)	Pass/Fail

11.6.1.2 The shortlisted firms will be notified in writing that they made it to the 2nd step of the selection process where they will be asked for additional information and invited for an interview and oral presentation.

11.7 **Statement of Qualifications Response Scoring Criteria**

11.7.1 **Similar Project Experience – 15 Points**

11.7.1.1 Must have experience as Prime or JV Partner providing similar type projects under a Design-Build Contract, or other delivery method, that is in progress or completed in the last five (5) years. Provide references from the owner. Provide no more than five (5) example projects.

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- 11.7.1.2 For the representative project, provide the following information:
- a) Project Name.
 - b) General description of the project and the delivery method.
 - c) Firm's primary role in the project.
 - d) Construction start and completion dates. (As originally scheduled and as-built).
 - e) Location.
 - f) Square footage size.
 - g) Construction method/type.
 - h) Contract value or value of work performed.
 - i) Provide at least one exterior and one interior photo as part of the write up of the project.
 - j) Provide an owner letter of reference for the project with contact information for reference.
- 11.7.2 **Project Approach – 15 Points**
- 11.7.2.1 Outline your management tools, strategies, and methodologies that will enable delivery of the Project.
- 11.7.2.2 Provide your methodology for the procurement of any long-lead items.
- 11.7.2.3 Describe your team relationships or JV for the design and construction elements.
- 11.7.2.4 Describe your experience in providing sustainable and energy efficient solutions to projects.
- 11.7.2.5 Describe your approach to project communication.
- 11.7.2.6 Describe your approach to implement a Health and Safety and Environment (HSE) or similar, culture among the workforce. As an attachment, provide a copy of the table of contents only from the prime firms HSE, plan or policy, or similar, manual.
- 11.7.2.7 Describe Respondent's quality assurance program. Explain methods used to ensure quality control during the design and construction phases of the Project. As an attachment, provide a copy of the table of contents only from the prime firms QA/QC plan or policy, or similar, manual.
- 11.7.2.8 Describe how Respondent's quality control team will measure the quality of construction performed by subcontractors and how non-conforming work will be addressed during construction.
- 11.7.2.9 Describe your approach to conflict and dispute resolution and the management of contractual conflicts.
- 11.7.3 **Firm(s) Qualifications – 15 Points**
- 11.7.3.1 Explain your organization's structure and why it has the necessary expertise and resources to execute a project of this scope:
- a) Detail years in business, past awards, and other pertinent information about your firm, JV, or significant key sub consultants/contractors.

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b) If a JV, further explain why your firms decided to partner and the value the partnership will bring to the City.

11.7.3.2 For any Key JV partner or significant sub-contractor, provide your previous relationship history of working together.

11.7.3.3 What is the strength each sub-consultant and contractor brings to this relationship?

11.7.4 Project Team Qualifications – 20 Points

Each Respondent shall submit:

11.7.4.1 The names and qualifications of the Key Personnel on the proposed team who will work on this Project. Key Personnel shall include at the minimum: Project Lead, Project Design Lead, Project Controls Lead, Superintendent, and Safety Lead.

11.7.4.2 A description of each Key Personnel position during Design and Construction Phases of the Project.

11.7.4.3 Provide a written assurance that the Key Personnel listed will be performing the work and will not be substituted with other personnel or reassigned to another project without the City's prior written approval.

11.7.4.4 Provide a brief resume or curriculum vitae for each Key Personnel demonstrating his or her qualifications and experience. Resumes shall include the following:

1. Name, Role
2. Firm
3. No. of years with current firm
4. Total years' experience
5. Education, professional licensing
6. Experience in their respective areas of expertise
7. Relevant work experience for previous ten (10) years.

11.7.5 Design of Aircraft Hangar, Educational Facility, Parking and Landscaping – 10 Points

11.7.5.1 Describe Respondent's concepts for working in a team relationship as a Design-Build Contractor and how this works for the benefit of the Project.

11.7.5.2 Describe how the Respondent's involvement in design phase will complete the design to 100% with regard to safety, cost, schedule, quality, constructability within the GMP price and meeting the design intent of the Bridging documents.

11.7.5.3 Provide a high-level schedule for this Project.

11.7.5.4 Describe Respondent's perception of critical design and construction issues for this Project and strategy for mitigating risks.

11.7.5.5 Describe Respondent's ability and plan to self-perform work on this Project.

11.7.5.6 Describe the Respondent's commissioning experience. Include your approach to system testing, activation/training, and commissioning.

11.7.5.7 Describe your approach to Project Closeout. Include process for completing the record drawings and specifications, operations and maintenance documents, and the turnover of all documentation in a Design-Build Project environment.

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11.7.6 Management and Staffing Plan – 15 Points

- 11.7.6.1 Describe the organization of the Respondent's team – provide an organization chart for Pre-Construction Services and Construction Services.
- 11.7.6.2 Provide a management and staffing plan in a table format that lists all Project tasks and proposed team member names to each project task and their level of responsibility for each task during each Project phase.
- 11.7.6.3 Describe your plan for transitioning between Phase 1 and Phase 2 services in terms of management continuity and roles and responsibilities of Key Personnel.

11.7.7 Project Controls – 10 Points

- 11.7.7.1 Describe Respondent's computer applications and software, to be used for project management on this Project.
- 11.7.7.2 Describe how Respondent will develop, maintain, and update the Project schedule during each Phase.
- 11.7.7.3 Describe Respondent's approach to assuring timely completion of this Project, including methods for performance measurement and float creation and schedule recovery, if necessary.
- 11.7.7.4 Describe detailed construction cost estimating methods to reaching the GMP without cost creep and/or escalation.
- 11.7.7.5 Describe how innovative work practices, innovative use of technologies, and innovative techniques or cost reduction strategies could benefit the City.
- 11.7.7.6 Describe cost tracking and control methods during construction. Describe how your Project Controls Systems will be able to supply information to the City in the WBS identified by the City.
- 11.7.7.7 City intends to accept a Guaranteed Maximum Price (GMP) based on the bridging documents enclosed. Describe Respondent's process for ensuring that the design documents provide the information necessary to arrive at a complete GMP, including all City requirements with reasonable contingencies.

11.7.8 Financial Capabilities

- 11.7.8.1 Shall conform to the requirements described in Section 8.4.

11.7.9 Safety Record and OSHA Citations

- 11.7.9.1 Shall conform to the requirements described in Section 8.5.

11.7.10 M/WBE Plan

- 11.7.10.1 Shall meet the requirements described in Section 8.9.

Note: The Hire Houston First (HHF) Program can be found in the City of Houston's Code of Ordinances (the "Code"), Ch. 15, Article XI. At the conclusion of scoring proposers, preference points shall be distributed in the following manner:

- 5 Points: For Proposer firm designated as a Hire Houston First "City Business" (CB);
- 3 Points: For Proposer firm designated as a Hire Houston First "Local Business" (LB);
- 0 Points: For Proposer firm not designated as either a "City Business" (CB) or a "Local Business" (LB).

11.8 Request for Qualifications Delivery Instructions

The response packages shall be submitted in two (2) separate envelopes/boxes **clearly** identified and addressed as follows:

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ENVELOPE #1 - CITY REQUIRED FORMS

RESPONDENT NAME

CONTACT NAME _____
CONTACT EMAIL _____
CONTACT PHONE NUMBER _____

RFQ CITY REQUIRED FORMS

SUPPLY CHAIN MANAGEMENT DIVISION
RFQ - DESIGN-BUILD SERVICES FOR THE
TSU FLIGHT ACADEMY AT ELLINGTON
AIRPORT (EFD)
SOLICITATION NO. H93-EFDTFA-2024-003

Attention: Cathy Vander Plaats
Aviation Procurement Officer
16930 John F Kennedy Blvd.
Houston, Texas 77032

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ENVELOPE #2 – STATEMENT OF QUALIFICATIONS

RESPONDENT NAME

CONTACT NAME _____
CONTACT EMAIL _____
CONTACT PHONE NUMBER _____

**RFQ STATEMENT OF
QUALIFICATIONS**

SUPPLY CHAIN MANAGEMENT DIVISION
RFQ - DESIGN-BUILD SERVICES FOR THE
TSU FLIGHT ACADEMY AT ELLINGTON
AIRPORT (EFD)
SOLICITATION NO. H93-EFDTFA-2024-003

Attention: Cathy Vander Plaats
Aviation Procurement Officer
16930 John F Kennedy Blvd
Houston, Texas 77032

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12.0 ADDITIONAL TECHNICAL INFORMATION, INTERVIEW AND ORAL PRESENTATION - STEP TWO

STEP TWO: ADDITIONAL TECHNICAL INFORMATION, INTERVIEW AND ORAL PRESENTATION WILL ONLY BE REQUIRED OF SHORTLISTED RESPONDENTS AS REQUESTED BY THE CITY

12.1 Overview

Respondents will receive notification from the City that they have been shortlisted and invited to an interview/oral presentation and to submit additional technical information. The interview/oral presentation and additional technical information will be evaluated based on the evaluation criteria described in Section 12.4. Shortlisted firms will also receive Document 00700 – General Conditions, Appendices, and Bridging Design-Build Documents.

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12.2 Additional Technical Information

12.2.1 Prior to the Interview and Oral Presentation, the Respondent shall submit the ADDITIONAL TECHNICAL INFORMATION using the format described herein. Respondent shall present any attributes that the Respondent believes are unique to its team, making them especially qualified to perform the services for the City. The ADDITIONAL TECHNICAL INFORMATION must address the following:

- Letter of Clarification Acknowledgement Letter
- Project Approach
- Anticipated Problems
- Proposed Solutions to Anticipated Problems
- Ability to Meet Schedules
- Conceptual Engineering Design/ Comments on Basis of Design
- Costing Methodology
- M/WBE Plan (Construction)
- Exceptions to Standard Contract

12.2.2 All Responses must be submitted prior to Oral Presentation and Interview. Responses shall be in writing and Respondents shall complete and return all applicable documents. If the response does not conform to City’s requirements, the response may be deemed non-responsive and therefore, not be considered for further evaluation. The contents of the response shall be complete in description and concise in volume. The response shall be in the format of a written report. Any supplementary artwork, visual aids, films, and other extraneous materials will not be accepted unless it specifically addresses the requirements for approach and/or information.

12.2.3 Division 01 Documents will be provided to shortlisted firms.

12.3 Additional Technical Information Format

12.3.1 Contents will include one (1) original of the LETTER OF CLARIFICATION ACKNOWLEDGEMENT LETTER and ADDITIONAL TECHNICAL INFORMATION listed in Section 12.2.1, signed in blue ink and ten (10) hard copies, as well as an electronic PDF version of the same on a non-returnable USB drive affixed for the original. Original to be marked as “Original” and copies to be marked as “**copy 1 of X**” etc.

12.3.2 All copies of ADDITIONAL INFORMATION shall be bound using 8½” by 11” (single-sided) pages with no staples, divided by tabs for the following sections.

Step 2: Additional Technical Information Content
Project Approach
Anticipated Problems
Proposed Solutions to Anticipated Problems
Ability to Meet Schedules
Conceptual Engineering Design/ Comments on Design Criteria Package
Costing Methodology
M/WBE Plan (Construction)
Exceptions to Standard Contract

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- 12.3.3 The Respondent shall ensure that each page of its response is identified with the Project Name, Respondent’s name, and page number.
- 12.3.4 Responses shall be prepared on 8 ½” x 11” paper, bound on the long side. 11” x 17” fold-out sheets may be included and counted as one page but are limited to graphic or photo images and shall not be used for excessive text to circumvent the page limitations.
- 12.3.5 Responses shall use 11-point font in Arial but none smaller, excluding captions for graphics.
- 12.3.6 Responses shall include tabbed section indicators and tab pages shall not include any content, graphic or text other than header of the section and will not be counted in the page count.
- 12.3.7 All text shall be clear of binding edge margin.
- 12.3.8 The Respondent’s ADDITIONAL TECHNICAL INFORMATION shall not exceed 5 pages single sided. This page limit does not include:
 - 12.3.8.1 Covers, Tabs, Letters, Letter of Clarification Acknowledgment or disclosure of legal and administrative proceedings and financial condition, and City of Houston required forms.
 - 12.3.8.2 ADDITIONAL TECHNICAL INFORMATION which contains unnecessarily elaborate art work, marketing brochures or expensive paper and/or bindings are highly discouraged.
 - 12.3.8.3 All forms provided shall use the exact format provided.
- 12.4 **Interview/Oral Presentation and Additional Technical Information Evaluation Criteria**

The short-listed firms will be evaluated on the following scoring criteria for the Additional Technical Information and Oral interview/Presentation. The Respondent shall submit the ADDITIONAL TECHNICAL INFORMATION using the format described herein. Respondent shall present any attributes that the Respondent believes are unique to its team, making them especially qualified to perform the services for the City. Step 2 Evaluation Criteria is listed below.

Step 2: Evaluation Criteria	Weights
Project Approach	25
Anticipated Problems	5
Proposed Solutions to Anticipated Problems	15
Ability to Meet Schedules	15
Conceptual Engineering Design/ Comments on Basis of Design	10
Cost Methodology	30
TOTAL SCORE	100 Points
M/WBE Plan (Construction)	PASS/FAIL

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12.4.1 Project Approach – 25 Points

12.4.1.1 Describe Respondent’s strategy to manage the Phase 1 as defined in the Scope of Services

12.4.1.2 Describe how Respondent will execute its work plan based on the Phases 2 and 3 - Construction Milestones defined in the Scope Services.

12.4.2 Anticipated Problems - 5 Points

12.4.2.1 Based upon the Basis of Design, list the anticipated problems and issues the Respondent foresees in Phase 1 and Phase 2.

12.4.3 Proposed Solutions to Anticipated Problems – 15 Points

12.4.3.1 Provide proposed solutions to the problems identified in 12.4.2.1.

12.4.4 Ability to Meet Schedules – 15 Points

12.4.4.1 Describe Respondent’s approach in managing its Designer and sub-consultants to ensure Phase 1 and Phase 2 milestones are met.

12.4.4.2 Describe Respondent’s means and methods that will be utilized to meet the completion of Phase 1 defined in the Scope of Services.

12.4.4.3 Describe Respondent’s means and methods that will be utilized to meet the completion of Phase 2 Milestone as defined in the Scope of Services.

12.4.5 Conceptual Engineering Design – 10 Points

12.4.5.1 Given that the Respondent is receiving a Design Criteria Package, explain your process in completing the design. Describe any gaps or other issues that can prevent the Project from its intended functionality and use.

12.4.6 Cost Methodology – 30 Points

12.4.6.1 Respondents shall provide cost methodology that includes, the Design-Build team’s policy on retainage, policy on contingencies, discount for prompt payment, range of costs based on working conditions, and expected staffing for administrative duties.

12.4.6.2 Pricing data and Firm Fixed Price (Lump Sum) will be requested during the negotiation with the highest ranked firm.

12.4.7 M/WBE Plan (Construction) – Pass/Fail

12.4.7.1 Provide the necessary requirements described in Section 15.4 of this solicitation and the goal set forth in Section 15.5.

12.4.7.2 The Respondent may be considered non-responsive if it fails to meet the M/WBE requirements.

12.4.8 Respondents will be notified in writing of the date/time and location of their presentation if they have been chosen for further consideration.

12.4.9 After the oral presentations/interviews (if required) are completed, final scores will be established by the evaluation committee.

12.4.10 The City will begin contract negotiations with the highest ranked Respondent(s) based upon the sample contract form attached to this RFQ. If negotiations result in agreement, the proposed contract will be submitted to the City Council for approval.

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12.4.11 The City reserves the right to request clarifying information from and ask additional questions of any individual respondent at any time during the evaluation process. The City also reserves the right to contact any references provided by the Respondent within its Response.

12.5 **Additional Technical Information Delivery Instructions**

The response packages shall be submitted in envelope/box **clearly** identified and addressed as follows:

<p>RESPONDENT NAME _____</p> <p>CONTACT NAME _____ CONTACT EMAIL _____ CONTACT PHONE NUMBER _____</p> <p>RFP TECHNICAL PROPOSAL</p>
--

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<p>SUPPLY CHAIN MANAGEMENT DIVISION RFQ - DESIGN-BUILD SERVICES FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD) SOLICITATION NO. H93-EFDTFA-2024-003</p> <p>Attention: Cathy Vander Plaats Aviation Procurement Officer 16930 John F Kennedy Blvd Houston, Texas 77032</p>
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**DESIGN-BUILD SERVICES FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
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PART IV – SUBMISSION OF RESPONSES

13.0 INSTRUCTION FOR SUBMISSIONS

- 13.1 **Time for Submission.** Submissions shall be submitted no later than the date and time indicated for submission in this RFQ. Late submittals will not be considered and will be returned unopened.
- 13.2 **Format.** Submission should be left-bound. Material should be organized following the order of the submission requirements separated by labeled tabs. Expensive paper and bindings are discouraged since no materials will be returned.
- 13.3 **Complete Submission.** Respondents are advised to carefully review all the requirements and submit all documents and information as indicated in this RFQ. Incomplete submissions may lead to a submission being deemed non responsive. Non-responsive submissions will not be considered.
- 13.4 **Timely Delivery of Submissions.** The submittal must be delivered by hand or sent to the City of Houston, Supply Chain Management Division through U.S. Mail or other available courier services to the address shown on the cover sheet of this RFQ. Include the RFQ number on any package delivered or sent to the Supply Chain Management Division and on any correspondence related to the submittal. If using an express delivery service, the package must be delivered to the designated building.
- 13.5 **Late Submissions.** The respondent remains responsible for ensuring that its submission is received at the time, date, place, and office specified. The City assumes no responsibility for any submission not so received, regardless of whether the delay is caused by the U.S. Postal service, the courier delivery service, or some other act or circumstance.

PART V – GENERAL TERMS AND SPECIAL CONDITIONS

14.0 GENERAL TERMS

14.1 Contractor Performance Language

- 14.1.1 Design-Build Contractor should make citizen satisfaction a priority in providing services under this contract. Design-Build Contractor's employees should be trained to be customer-service oriented and to positively and politely interact with citizens when performing contract services. Design-Build Contractor's employees should be clean, courteous, efficient and neat in appearance at all times and committed to offering the highest degree of service to the public. If, in the Director's determination, the Design-Build Contractor is not interacting in a positive and polite manner with citizens, the Design-Build Contractor shall take all remedial steps to conform to the standards set by this contract and is subject to termination for breach of contract.

14.2 INTERPRETING SPECIFICATIONS

- 14.2.1 The specifications and product references contained herein are intended to be descriptive rather than restrictive. City is soliciting Statements of Qualifications to provide a complete product and service package, which meets its overall requirements. Specific equipment and system references may be included in this RFQ for guidance, but they are not intended to preclude Respondent(s) from recommending alternative solutions offering comparable or better performance or value to the City.

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14.2.2 Changes in the specifications, terms and conditions of this RFQ will be made in writing by the City prior to the SOQ due date. Results of informal meetings or discussions between a potential Respondent(s) and a City official or employee may not be used as a basis for deviations from the requirements contained in this RFQ.

15.0 SPECIAL CONDITIONS

15.1 Additional Instructions, Notifications, and Information

15.1.1 Respondents who provide false or misleading information, whether intentional or not, in any documents presented to the City for consideration in the selection process shall be excluded. Any false or misleading information in these documents would in effect, render the entire document suspect and therefore useless.

15.1.2 Respondents shall not offer any gratuities, favors, or anything of monetary value to any official or employee of the City of Houston for the purposes of influencing this selection. Any attempt by the Respondent to influence the selection process by any means, shall be grounds for exclusion from the selection process.

15.1.3 CONTRACT NEGOTIATIONS - This solicitation is not to be construed as a contract or as a commitment of any kind. If this solicitation results in a contract offer by the City; a specific scope of work, fees, insurance coverages, and other contractual matters will be determined during contract negotiations. To ensure that the appropriate staff is assigned to the project the City may include a “key persons” clause during contract negotiations.

15.1.4 CONFIDENTIAL INFORMATION - All responses shall be held confidential from other parties by the City to the extent allowable by law until after the selection process is completed. Respondents should be aware that at the completion of the selection process the contents of their RFQ are subject to the provisions of the Texas Open Records Act and may be made public. CONFIDENTIAL or SENSITIVE information should not be included in the responses to the solicitation.

15.1.5 In the event that a mutually agreeable contract cannot be negotiated between the consultant and the City, then the City reserves the right to select an alternate Design-Build Contractor.

15.1.6 The City reserves the sole right to:

- 1) Evaluate submittals.
- 2) Waive any irregularities therein.
- 3) Request supplemental or additional information as necessary.
- 4) Contact others to verify information provided in the submittal.
- 5) Cancel the solicitation and/or reject any and all submittals, should it be deemed at the best interest of the City of Houston

15.1.7 No debriefings by the City staff to unsuccessful Respondents will occur until after the award of a contract by the Houston City Council to the recommended team(s).

15.1.8 The Mayor’s Drug Detection and Deterrence Procedures for Contractors (Executive Order 1-31, Revised 3/1/95) requires that all contractors who are awarded City contracts for labor or services comply with the compliance with the Executive Order (EO) and will have to file the following documents with the Aviation Department’s Contract Compliance Officer for Drug Testing (CCODT) prior to award.

- a. A copy of the Respondent’s drug-free workplace policy

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- b. A Drug Policy Compliance Agreement substantially in the format described in the EO, together with a designation of safety impact positions.
- c. If applicable, a Certification of No Safety Impact Positions substantially in the format described in the EO.

15.2 No Contact Period

15.2.1 Neither Respondent(s) nor any person acting on Respondent(s)'s behalf shall attempt to influence the outcome of the award by the offer, presentation or promise of gratuities, favors, or anything of value to any appointed or elected official or employee of the City of Houston, their families or staff members. All inquiries regarding the solicitation are to be directed to the designated City Representative identified on the first page of the solicitation ("City Representative"). Upon issuance of the solicitation through the pre-award phase and up to the date the City Secretary publicly posts notice of any City Council agenda containing the applicable award, aside from Respondent's formal response to the solicitation, through the pre-award phase, written requests for clarification during the period officially designated for such purpose by the City Representative, neither Respondent(s) nor persons acting on their behalf shall communicate with any appointed or elected official or employee of the City of Houston, their families or staff through written or oral means in an attempt to persuade or influence the outcome of the award or to obtain or deliver information intended to or which could reasonably result in an advantage to any Respondent. However, nothing in this paragraph shall prevent a Respondent from making public statements to the City Council convened for a regularly scheduled session after the official selection has been made and placed on the City Council agenda for action, or to a City Council committee convened to discuss a recommendation regarding the solicitation.

15.2.2 Guidance - Interested parties should always contact the designated City Representative regarding the substance of this procurement. It is permissible to also contact the following, based on the specific circumstances:

15.2.2.1 Questions regarding programs administered by the Office of Business Opportunity (OBO) may be submitted directly to OBO without going through the City Representative for this procurement.

15.2.2.2 Questions regarding the process in general or that the City Representative may not be able to answer may be submitted to the Chief Procurement Officer.

15.2.2.3 Communications with the city legal department regarding contract terms after notification of intent to award are permissible.

15.3 Security and Badges (As Applicable to this Project)

15.3.1 The Respondent shall comply with all applicable Federal rules governing security at the Airport.

15.3.2 All on-site personnel of Respondent, including subcontractors, who perform services under the Agreement, are required to undergo a fingerprint-based criminal history records check. Fingerprints are collected at the Airport Badging Office and submitted electronically for investigation.

15.3.3 The Respondent shall obtain HAS security badges for its personnel performing services on-site, including its subcontractors' personnel. On-site personnel shall wear identification badges at all times while on Airport property. The cost of badges, which is subject to change, is currently \$55.00 each at IAH/HOU and \$16.00 at EFD. Costs

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for the fingerprint-based criminal history records check are reflected in the cost of the badges. The Respondent is responsible for the cost of badges, including replacements thereof. The Respondent personnel losing badges will be charged for replacement badges at the then current rate. Badge yearly renewal cost is currently \$16.00.

15.3.4 The Respondent acknowledges that fines or penalties associated with non-compliance with security regulations shall be reimbursed to HAS.

15.4 **Minority and Women Business Enterprises (M/WBE)**

15.4.1 Contractors shall comply with the City's Minority, Women and Small Business Enterprise (MWSBE) programs as set out in Chapter 15, Article V of the City of Houston Code of Ordinances. Contractors shall make Good Faith Efforts to awards subcontracts or supply agreements in at least the values stated below to MWSBE's. Contractor acknowledges that it has reviewed the requirements for Good Faith Efforts on file with the City's Office of Business Opportunity and will comply with them.

15.5 **M/WBE and Local Business Participation Plan**

15.5.1 If the total Construction Cost Estimate for the Project is greater than One Million Dollars or if the contract has a Professional Services component the contractor shall make Good Faith Efforts to comply with the City Ordinances and the Requirements for the City of Houston Program for Minority, Women, and Small Business Enterprises. The contract goals are as follows:

15.5.1.1 The M/WBE Goal for Design: 26%

15.5.1.2 The M/WBE Goal for Construction: TBD

15.5.2 The M/WBE Participation Plan is based on the total design and professional services portion of this contract, and it is due along with the submission of the Statement of Qualifications.

15.5.3 M/WBE and the MBE and WBE Participation Plans are due along with the Additional Information for Step 2 from all short-listed firms.

15.5.4 Failure by Contractor to comply with the Good Faith Efforts policy will be considered non-compliance with the MWSBE program. Failure to be compliant will result in any and all actions permitted by City Ordinance or the Office of Business Opportunity's Policies and Procedures Manual.

15.5.5 "Good Faith Efforts Policy" is defined in the Office of Business Opportunity's Policy and Procedures Manual, which is available at: <http://www.houstontx.gov/obo/index.html>.

15.6 **Protest**

15.6.1.1 An interested party may file a protest on the basis that the City has failed to comply with applicable federal or state law or with City ordinances as set forth in City of Houston Administrative Policy 5-12. <http://www.houstontx.gov/policies>.

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15.7 Certificate of Interested Parties

- 15.7.1 In accordance with Texas Gov't Code §2252.908, the successful Respondent must complete Form 1295, Certificate of Interested Parties.
- 15.7.2 The successful Respondent must use the application to enter the required information on Form 1295 and print a copy of the completed form, which will include a certification of filing that will contain a unique certification number.
- 15.7.3 No later than 30 days after the contract's effective date, the city will upload the successful respondent's completed Form 1295. The Texas ethics Commission will post the contractor's completed form 1295 within seven business days of receipt. For your reference, Form 1295 is attached as part of this document.
- 15.7.4 For your reference, Form 1295 is attached as part of this document.

15.8 Anti-Boycott of Israel

- 15.8.1 Vendor certifies that vendor is not currently engaged in and agrees or the duration of the contract not to engage in, the boycott of Israel as defined by section 808.001 of the Texas government code.

15.9 Executive Order 1-56 Zero Tolerance For Human Trafficking In City Service Contracts And Purchasing

- 15.9.1 The City has a zero tolerance for human trafficking, and per Executive Order 1-56, City funds shall not be used to promote human trafficking. City vendors are expected to comply with this Executive Order and notify the City's Chief Procurement Officer of any information regarding possible violation by the vendor or its subcontractors providing services or goods to the City. The Executive Order is available on the City's website: <http://www.houstontx.gov/execorders/1-56.pdf>

15.10 SB 943 - PUBLIC INFORMATION AND DISCLOSURE OF CERTAIN CONTRACTING INFORMATION

- 15.10.1 The requirements of Subchapter J, Chapter 552, Government Code, may apply to this (include "bid" or "contract" as applicable) and the contractor or vendor agrees that the contract can be terminated if the contractor or vendor knowingly or intentionally fails to comply with a requirement of that subchapter." Ref.: <https://statutes.capitol.texas.gov/Docs/GV/htm/GV.552.htm#552>

PART VI – INSTRUCTIONS TO RESPONDENTS

16.0 Pre-Submission Conference

- 16.1 A Pre-Submission Conference will be held at the date, time, and location as indicated on the first page of the RFQ document. Interested respondent(s) should plan to attend. It will be assumed that potential respondent(s) attending this meeting have reviewed the RFQ in detail and are prepared to bring up any substantive questions not already addressed by the City.

16.2 Additional Information and Specification Changes

- 16.2.1 Requests for additional information and questions must be received in writing and

**DESIGN-BUILD SERVICES FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
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directed only to the Houston Airport System, Supply Chain Management, Senior Procurement Specialist, Amanda Joseph amanda.joseph@houstontx.gov no later than 12:00 PM, CT September 6, 2023. The City of Houston shall provide written responses to all questions received in writing before the submittal deadline. Questions received from all Respondent(s) shall be answered and sent to all Respondent(s) who are listed as having obtained the RFQ. Respondent(s) shall be notified in writing of any changes in the specifications contained in this RFQ.

16.3 Letter(s) of Clarification

16.3.1 All Letters of Clarification and interpretations to this Solicitation shall be in writing. Any Letter of Clarification(s) or interpretation that is not in writing shall not legally bind the City of Houston. Only information supplied by the City of Houston in writing or in this RFQ should be used in preparing Submission responses.

16.3.2 The City does not assume responsibility for the receipt of any Letters of Clarification sent to Respondent(s).

16.4 Examination of Documents and Requirements

16.4.1 Each Respondent shall carefully examine all RFQ documents and thoroughly familiarize themselves with all requirements prior to submitting a Submission to ensure that the Submission meets the intent of this RFQ.

16.4.2 Before submitting a Submission, each Respondent shall be responsible for making all investigations and examinations that are necessary to ascertain conditions and affecting the requirements of this RFQ. Failure to make such investigations and examinations shall not relieve the Respondent from obligation to comply, in every detail, with all provisions and requirements of the RFQ.

16.5 Exceptions to Terms and Conditions

16.5.1 All exceptions included with the Submission shall be submitted in a clearly identified separate section of the Submission in which the Respondent clearly cites the specific paragraphs within the RFQ where the Exceptions occur. Any Exceptions not included in such a section shall be without force and effect in any resulting contract unless such Exception is specifically referenced by the City Purchasing Agent, City Attorney, Director(s) or designee in a written statement. The Respondent's preprinted or standard terms will not be considered by the City as a part of any resulting contract.

16.5.2 All Exceptions that are contained in the Submission may negatively affect the City's Submission evaluation based on the evaluation criteria as stated in the RFQ, or result in possible rejection of Submission.

16.5.3 Exceptions to Standard Contract. All short-listed respondents must submit any exceptions to the standard contract by redlining the standard contract electronically in unlocked, fully editable Microsoft Word format (in addition to any other hard copy delivery requirements). Short-listed respondents must include the rationale for taking the exception in the redlined contract (using the Comments feature, as needed) and by summarizing the exception in the attached Contract Exception Chart (Exhibit P). Such exceptions will be considered when evaluating the short-listed respondent's response to this RFQ. If a short-listed respondent takes exception to the contract language (more than simply a deletion), it must include its proposed alternative language for the City's consideration. Redlines and the Contract Exception Chart will be due at the date and time set forth in the notice inviting the short-listed respondents to an

**DESIGN-BUILD SERVICES FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
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interview, which due date will be on or before the date and time of the respondent's interview.

16.6 **Post-Submission Discussions with Respondent(S)**

16.6.1 It is the City's intent to commence final negotiation with the Respondent(s) deemed most advantageous to the City. The City reserves the right to conduct post-Submission discussions with any Respondent(s).

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**DESIGN-BUILD SERVICES FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
SOLICITATION NO.: H93-EFDTF A-2024-003 PROJECT NO.: 1030**

17.0 ATTACHMENTS

- Attachment A – Scope of Services
- Attachment B – Basis of Design
- Attachment C – Sample Contract
- Attachment D – Prohibited Firms

18.0 FORMS TO BE SUBMITTED WITH STATEMENT OF QUALIFICATION

- Exhibit A – Offer and Submittal
- Exhibit B – Bidder's Statement of MBE/WBE/PDBE/DBE/SBE Status (00450)
- Exhibit C – Affidavit of Non-Interest (00454)
- Exhibit D – Ownership Information Form (00455)
- Exhibit E – Pay or Play Acknowledgement Form (00840)
- Exhibit F – Anti-Collusion Statement
- Exhibit G – Conflict of Interest Questionnaire (00457)
- Exhibit H – RFQ Statement of Qualification/RFQ Letter of Clarification Acknowledgement
- Exhibit I – Surety Letter of Intent
- Exhibit J – Required Submittal Checklist
- Exhibit K – Respondent Contact Directory
- Exhibit L – Reference Verification Form
- Exhibit M – Bidder's M/WBE Participation Plan (00470) - Design
- Exhibit N – Pre-Bid Good Faith Efforts - Document (00471) - Design
- Exhibit O – Bidder's MWSBE Goal Deviation Request (00472) – Design

19.0 FORMS TO BE SUBMITTED WITH ADDITIONAL INFORMATION

- Exhibit M – Bidder's M/WBE Participation Plan (00470) - Construction
- Exhibit N – Pre-Bid Good Faith Efforts - Document (00471) - Construction
- Exhibit O – Bidder's MWSBE Goal Deviation Request (00472) – Construction
- Exhibit P – Contract Exception Chart
- 00842 Letter of Intent
- 00600 List of Proposed Subs and Suppliers

20.0 DOCUMENTS TO BE SUBMITTED BY SUCCESSFUL FIRM

- 00501 Resolution of Corporation
- 00601 Drug Policy Compliance Agreement
- 00606 Contractor's Certificate of No Safety Impact Positions
- 00620 Affidavit of Insurance
- 00621 COH Certificate of Insurance
- 00624 Affidavit of Compliance with Affirmative Action Program
- 00630 Certificate of Compliance with POP program
- 00631 POP Program List of Subs
- 00632 OBO Certification by Professional Service Provider
- Form 1295 – Certificate of Interested Parties

ATTACHMENT A

**DESIGN-BUILD SERVICES FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
SOLICITATION NO.: H93-EFDTFA-2024-003 PROJECT NO.: 1030**

**ATTACHMENT A
SCOPE OF SERVICES**

Attached Separately

ATTACHMENT B –BASIS OF DESIGN

**DESIGN-BUILD SERVICES FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
SOLICITATION NO.: H93-EFDTFA-2024-003 PROJECT NO.: 1030**

**ATTACHMENT B
BASIS FOR DESIGN**

Attached Separately

ATTACHMENT C – SAMPLE CONTRACT

**DESIGN-BUILD SERVICES FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
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**ATTACHMENT C
SAMPLE CONTRACT**

Attached Separately

ATTACHMENT D – PROHIBITED FIRMS

**DESIGN-BUILD SERVICES FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
SOLICITATION NO.: H93-EFDTFA-2024-003 PROJECT NO.: 1030**

**ATTACHMENT D
LIST OF PROHIBITED FIRM(S)**

- 1.**
- 2.**
- 3.**
- 4.**

EXHIBIT A – OFFER AND SUBMITTAL

**DESIGN-BUILD SERVICES FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
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NOTE: PROPOSAL MUST BE SIGNED AND NOTORIZED BY AN AUTHORIZED REPRESENTATIVE(S) OF THE PROPOSER, WHICH MUST BE THE ACTUAL LEGAL ENTITY THAT WILL PERFORM THE CONTRACT IF AWARDED AND THE TOTAL FIXED PRICE CONTAINED THEREIN SHALL REMAIN FIRM FOR A PERIOD OF ONE-HUNDRED EIGHTY (180) DAYS.

"THE RESPONDENT WARRANTS THAT NO PERSON OR SELLING AGENCY HAS BEEN EMPLOYED OR RETAINED TO SOLICIT OR SECURE THIS CONTRACT UPON AN AGREEMENT OR UNDERSTANDING FOR A COMMISSION, PERCENTAGE, BROKERAGE, OR CONTINGENT FEE, EXCEPTING BONA FIDE EMPLOYEES. FOR BREACH OR VIOLATION OF THIS WARRANTY, THE CITY SHALL HAVE THE RIGHT TO ANNUL THIS AGREEMENT WITHOUT LIABILITY OR, AT ITS DISCRETION, TO DEDUCT FROM THE CONTRACT PRICES OR CONSIDERATION, OR OTHERWISE RECOVER THE FULL AMOUNT OF SUCH COMMISSION, PERCENTAGE, BROKERAGE OR CONTINGENT FEE."

Respectfully Submitted:

(Print or Type Name of Contractor – Full Company Name)

City of Houston Vendor No. (If already doing business with City): _____

Federal Identification Number: _____

By: _____
(Signature of Authorized Officer or Agent)

Printed Name: _____

Title: _____

Date: _____

Address of Contractor: _____
Street Address or P.O. Box

City – State – Zip Code

Telephone No. of Contractor: (____) _____

Signature, Name and title of Affiant: _____

(Notary Public in and for)

_____ County, Texas

My Commission Expires: _____ day of _____ 20_____

EXHIBIT B – BIDDER’S STATEMENT OF MBE/WBE/PDBE/DBE/SBE STATUS
DESIGN-BUILD SERVICES FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
SOLICITATION NO.: H93-EFDTFA-2024-003 PROJECT NO.: 1030

Document 00450

BIDDER'S STATEMENT OF MBE/WBE/PDBE/DBE/SBE STATUS

This certifies that the status of the Bidder, _____, in
(Bidder's Name)

regard to the City of Houston Code of Ordinances, Chapter 15, Article V, relating to City-wide percentage goals for contracting with Minority and Women-owned Business Enterprises (M/WBE) and Disadvantaged Business Enterprises (DBE), Chapter 15, Article VI, relating to City-wide percentage goals for contracting with Persons with Disabilities Business Enterprises (PDBE) and Chapter 15, Article IX, relating to City-wide percentage goals for contracting with a Small Business Enterprise (SBE) is as follows:

1. Bidder (individual, partnership, corporation) is is not a Minority Business Enterprise as certified by the Office of Business Opportunity.
2. Bidder (individual, partnership, corporation) is is not a Women-owned Business Enterprise as certified by the Office of Business Opportunity.
3. Bidder (individual, partnership, corporation) does does not declare itself to be a Persons with Disabilities Business Enterprise as defined above.
4. Bidder (individual, partnership, corporation) does does not declare itself to be a Disadvantaged Business Enterprise as defined above.
5. Bidder (individual, partnership, corporation) does does not declare itself to be a Small Business Enterprise as defined above.

Signature: _____

Title: _____

Date: _____

EXHIBIT C – AFFIDAVIT OF NON-INTEREST

**DESIGN-BUILD SERVICES FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
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Document 00454

AFFIDAVIT OF NON-INTEREST

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on

this day personally appeared _____, who
Affiant

being by me duly sworn on his oath stated that he is _____, of
Title

Name of Firm

the firm named and referred to and in the foregoing; and that he knows of no officer, agent, or employee of the City of Houston being in any manner interested either directly or indirectly in such Contract.

Affiant's Signature

SWORN AND SUBSCRIBED before me on _____
Date

Notary Public in and for the State of TEXAS

Print or type name

My Commission Expires: _____
Expiration Date

END OF DOCUMENT

EXHIBIT D – OWNERSHIP INFORMATION FORM

**DESIGN-BUILD FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
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Document 00455

OWNERSHIP INFORMATION FORM

The City of Houston Ownership Information Form is used to gather information to comply with:

- a. The City of Houston Contractor Ownership Disclosure Ordinance ([Chapter 15 of the Code of Ordinances, Article VIII. City Contracts; Indebtedness to City](#));
- b. The City of Houston Fair Campaign Ordinance ([Chapter 18 of the Code of Ordinances](#)); and,
- c. The State of Texas Statement of Residency Requirements ([Tex. Govt. Code Chapter 2252](#)).

Please complete the form, in its entirety, and submit it with the Official Bid or Proposal Form. Except as noted below regarding the Statement of Residency, failure to provide this information may be just cause for rejection of your bid or proposal.

NOTICE OF AFFIRMATIVE ACCEPTANCE OF THE CITY OF HOUSTON FAIR CAMPAIGN ORDINANCE

By submitting a bid or proposal to the City of Houston for a Contract in excess of \$50,000 or for which a request is presented to City Council for approval, all respondents agree to comply with the Chapter 18 of the Code of Ordinances.

Further, pursuant to Section 18-36 of the Code of Ordinances, it shall be unlawful either for any person who submits a bid or proposal to contribute or offer any contribution to a candidate or for any candidate to solicit or accept any contribution from such person for a period commencing at the time of posting of the City Council Meeting Agenda including an item for the award of the Contract and ending upon the 30th day after the award of the Contract by City Council.

INSTRUCTIONS

1. Please **type** or **legibly print in dark ink** responses. Individuals and entities should disclose their full, legal names (not initials) and all required corporate letters (“Inc”, “LLP”, etc.).
 - a. If a firm is operating under an assumed name, the following format is recommended:
Corporate/Legal Name DBA Assumed Name.
2. Full addresses are required, including street types (“St”, “Rd”, etc.) and unit number.
3. Individuals or entities with 10% or more ownership of the corporation, partnership, or joint venture (including persons who own 100%) are required to be disclosed with their full name and full address. All officers and directors are also required to be disclosed with their full name and full address.

EXHIBIT D – OWNERSHIP INFORMATION FORM

**DESIGN-BUILD FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
SOLICITATION NO.: H93-EFDTF A-2024-003 PROJECT NO.: 1030**

PROJECT AND BID/PROPOSAL PREPARER INFORMATION

Project or Matter Being Bid: _____

Bidder's complete firm/company business information

Name: _____

Business Address [No./Street] _____

City / State / Zip Code _____

Telephone Number _____

Bidder's email address

Email Address: _____

STATEMENT OF RESIDENCY

(THE STATEMENT OF RESIDENCY PORTION OF THIS DOCUMENT IS **NOT APPLICABLE** IF THE
SOLICITATION INDICATES FEDERAL FUNDS WILL BE USED)

TEX. GOV'T CODE §2252.001, §(4) defines a "**Resident bidder**" as a bidder whose principal place of business* is in this state, and includes a contractor whose ultimate parent company or majority owner has its principal place of business in this state.

TEX. GOV'T CODE §2252.001§ (3) defines a "**Nonresident bidder**" as a bidder who is not a resident in this state.

* Principal Place of Business in Texas means that the business entity:

- has at least one permanent office located within the **State of Texas**, from which business activities other than submitting bids to governmental agencies are conducted and from which the bid is submitted; and
- has at least one employee who works in the Texas office.

Based on the definitions above, your business is a:

TEXAS RESIDENT BIDDER

NONRESIDENT BIDDER

If you are a Nonresident Bidder, does your home state have a statute giving preference to resident bidders? If so, you must attach a copy of the statute to this Document.

A copy of the State of _____ statute is attached.

NOTE: The State of residency of a bidder is not used in the decision-making criteria for the award of contracts for projects receiving federal funding, whether in whole or in part.

EXHIBIT D – OWNERSHIP INFORMATION FORM

DESIGN-BUILD FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)

SOLICITATION NO.: H93-EFDTFA-2024-003 PROJECT NO.: 1030

CONTRACTING ENTITY ORGANIZATIONAL ENTITY TYPE

FOR PROFIT ENTITY:

- SOLE PROPRIETORSHIP
- CORPORATION
- PARTNERSHIP
- LIMITED PARTNERSHIP
- JOINT VENTURE
- LIMITED LIABILITY COMPANY
- OTHER (*specify in space below*)

NON-PROFIT ENTITY:

- NON-PROFIT CORPORATION
- UNINCORPORATED ASSOCIATION

LISTING OF ADDRESSES

List all current and prior addresses where the bidder does/has done business or owns property (real estate and/or business personal property) in the city of Houston (“Houston”) in the past 3 years from the date of submittal of this form. If within the past 3 years from the date of submitting this form, the bidder does not and has not done business and has not or does not own property (real estate and/or business personal property) in Houston, please state “None” on the first line below.

Address

Address

Address

ATTACH ADDITIONAL SHEETS AS NEEDED.

EXHIBIT D – OWNERSHIP INFORMATION FORM

**DESIGN-BUILD FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
SOLICITATION NO.: H93-EFDTF A-2024-003 PROJECT NO.: 1030**

LISTING OF OFFICERS

LIST ALL OFFICERS OF THE ENTITY, REGARDLESS OF THE AMOUNT OF OWNERSHIP (IF NONE STATE "NONE")

<u>Name</u> Officer	_____	_____	Address
<u>Name</u> Officer	_____	_____	Address
<u>Name</u> Officer	_____	_____	Address
<u>Name</u> Officer	_____	_____	Address
<u>Name</u> Officer	_____	_____	Address
<u>Name</u> Officer	_____	_____	Address

LISTING OF DIRECTORS OR MEMBERS

LIST ALL DIRECTORS OF THE ENTITY, REGARDLESS OF THE AMOUNT OF OWNERSHIP (IF NONE STATE "NONE")

<u>Name</u> Director or Member	_____	_____	Address
<u>Name</u> Director or Member	_____	_____	Address
<u>Name</u> Director or Member	_____	_____	Address
<u>Name</u> Director or Member	_____	_____	Address
<u>Name</u> Director or Member	_____	_____	Address

EXHIBIT D – OWNERSHIP INFORMATION FORM

DESIGN-BUILD FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)

SOLICITATION NO.: H93-EFDTF A-2024-003 PROJECT NO.: 1030

DISCLOSURE OF OWNERSHIP (OR NON-PROFIT OFFICERS)

Bidders are required to disclose all owners of 10% or more of the Contracting Entity. For non-profit entities, please provide the complete information for the President, Vice-President, Secretary, and Treasurer.

IN ALL CASES, USE FULL NAMES, LOCAL BUSINESS AND RESIDENCE ADDRESSES AND TELEPHONE NUMBERS. DO NOT USE POST OFFICE BOXES FOR ANY ADDRESS. INCLUSION OF E-MAIL ADDRESSES IS OPTIONAL, BUT RECOMMENDED.

ATTACH ADDITIONAL SHEETS AS NEEDED.

Contracting Entity:

Name: _____
Business Address [No./Street] _____
City / State / Zip Code _____
Telephone Number _____
Email Address: _____

DISCLOSURE OF OWNERSHIP (OR NON-PROFIT OFFICERS) *continued.*

Owner(s) of 10% or More (IF NONE, STATE “NONE.”):

Name: _____
Business Address [No./Street] _____
City / State / Zip Code _____
Telephone Number _____
Email Address: _____
Residence Address [No./Street] _____
City / State / Zip Code _____

Owner(s) of 10% or More (IF NONE, STATE “NONE.”):

Name: _____
Business Address [No./Street] _____
City / State / Zip Code _____
Telephone Number _____
Email Address: _____
Residence Address [No./Street] _____
City / State / Zip Code _____

ATTACH ADDITIONAL SHEETS AS NEEDED.

EXHIBIT D – OWNERSHIP INFORMATION FORM

**DESIGN-BUILD FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
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OPTIONAL: TAX APPEAL INFORMATION

If the firm/company or an owner/officer is actively protesting, challenging, or appealing the accuracy and/or amount of taxes levied with a tax appraisal district, please provide the following information:

Debtor (Firm or Owner Name):	
Tax Account Nos.:	
Case or File Nos.:	
Attorney/Agent Name:	
Attorney/Agent Phone No.:	
Tax Years:	

Status of Appeal **[DESCRIBE]**:

If an appeal of taxes has been filed on behalf of your company, please include a copy of the official form received by the appropriate agency.

REQUIRED: UNSWORN DECLARATION

I certify that I am duly authorized to submit this form on behalf of the firm, that I am associated with the firm in the capacity noted below, and that I have personal knowledge of the accuracy of the information provided herein. I affirm that all the information contained herein is true and correct to the best of my knowledge. I understand that failure to submit accurate information with my submission may result in my submission being considered non-responsive and non-responsible.

Preparer's Signature

Date

Printed Name

Title

NOTE: This form constitutes a **governmental record**, as defined by Section 37.01 of the Texas Penal Code. Submission of a false government record and falsification of a governmental record are crimes, punishable as provided in Section 37.10 of the Texas Penal Code.

DE DESIGN-BUILD SERVICES FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
SOLICITATION NO.: H93-EFDTFA-2024-003 PROJECT NO.: 1030



City of Houston
Pay or Play Program Requirements



I. Pay or Play Program Overview

A. Purpose

The Pay or Play Program was established with Ordinance 2007-534 on July 1, 2007 and is governed by Executive Order 1-7. The Pay or Play Program (POP Program) creates a more level playing field and enhances fairness in the bid process between competing contractors that choose to offer health benefits to their workforce and those who do not. The program also recognizes and accounts for the fact that there are cost associated with health care of the uninsured citizens of the Houston and Harris County area.

B. Program Elements

1. Covered contracts:

- I.) Advertised after July 1, 2007 or which is executed on or after the effective date of this Executive Order.
- II.) Contracts valued at or above \$100,000.00 (contract) and \$200,000.00 (sub-contract) including contingencies, amendments, supplemental terms and/or change orders.
- III.) Professional Service, Construction, and Service type contracts.

2. Contracts not covered:

- I.) Any contract in which the primary purpose is procurement of property, goods, supplies, and or equipment.
- II.) An inter-governmental contract, inter-governmental agreement or purchasing cooperative.

3. Covered employees: This program applies to employees of a covered contractor or subcontractor, including contract labor, who are over age 18, work at least 30 hours per week and work any amount of time under a covered city contract or subcontract.

4. Pay or Play Option:

- I.) "Pays" by contributing \$1.00 per covered employee per regular hour for work performed under the contract with the City; or
- II.) "Plays" by providing health benefits to covered employees. Health benefits must meet or exceed the following standards:
 - The **employer will contribute no less than \$150 per covered employee per month** toward the total premium cost.
 - The **employee contribution, if any amount, will be no greater than 50% of the monthly premium cost and no more than \$150 per month.**

****Note: (1)A contractor is deemed to have complied with section 5.4 of E.O. 1-7 with respect to a covered employee who is not provided health benefits if the employee refuses the benefits and the employee's contribution to the premium is no more than \$40 per month. (2) If applicable the contractor has the option to both Pay and Play.***

DE DESIGN-BUILD SERVICES FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
SOLICITATION NO.: H93-EFDTFA-2024-003 PROJECT NO.: 1030



City of Houston
Pay or Play Program Requirements



5. **Exemptions/Waivers:** The City of Houston will award a contract to a contractor that neither Pays nor Plays only if the contractor has received an approved waiver (Form POP-4 requested by City departments only).
6. **Administration:** Contractor performance in meeting Pay or Play program requirements will be managed by the contracting department. The Office of Business Opportunity (OBO) has administrative oversight of the program, including audit responsibilities (department compliance). Questions about the program should be referred to the Department POP Liaison an updated contact list is available on <http://www.houstontx.gov/obo/popforms.html> or call Gracie Orr with the Office of Business Opportunity at 832-393-0633.

II. Documentation and Reporting Requirements

A. **Document that must be signed and returned to administering department with the bid/proposal.**

- 1.) City of Houston Pay or Play Program Acknowledgment Form (Form POP-1) acknowledges bidder/proposers' knowledge of the program and its requirements, and the intention to comply.

B. **Documents that must be signed and returned to administering department within a period designated by the department's Contract Administrator, upon notification of low bidder or successful proposer status:**

- 1.) Certification of Compliance with Pay or Play Program (Form POP-2)

****Note - Contractors that opt to "play" must provide proof of coverage, including document from insurance provider, and names of covered employees.***

- 2.) List of Subcontractors (Form POP-3)

****Note- Review the affidavit statement at the bottom of this form for further important POP Compliance information.***

C. **Contractors reporting requirements:**

- 1.) Contractors that opt to Pay
Provide monthly reports to administering department, detailing names of employees, hours worked, exemptions (if any) and amount owed. (Form POP-5)
- 2.) Contractors that opt to Play
Provide periodic reports to the contract administrator showing proof of coverage (insurance premium invoice or insurance card) reporting schedule will be determined by administering department based on length of contract. (Form POP-7)

DE DESIGN-BUILD SERVICES FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
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City of Houston
Pay or Play Program Requirements



3.) Employee Waiver Request

Contractor may request POP program waiver by submitting the request on POP-8 if the employee is less than 18 years old, employee has other health coverage such as through spouse or parents, or Medicare/Medicaid.

****Note proof of coverage must be provided in the form of a copy of the employee's insurance card. (Remove social security numbers if applicable)***

- 4.) Contractors shall submit an initial report with the second invoice to the department. Payments based on monthly reports are due to the contracting department with submission of the following month's invoice. Payments may be made out to the City of Houston preferably via cashier check or business check.

III. Compliance and Enforcement

The Office of Business Opportunity will audit program compliance. Contractors willfully violating or misrepresenting POP program compliance will be subject to corrective and/or punitive action, including but not limited to the assessment of fines and penalties and/or debarment. The Pay or Play Program Requirements Form and all other POP Forms are available for downloading from the City of Houston's Website at <http://www.houstontx.gov/obo/popforms.html>

EXHIBIT F – ANTI-COLLUSION STATEMENT

**DESIGN-BUILD SERVICES FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
SOLICITATION NO.: H93-EFDTFA-2024-003 PROJECT NO.: 1030**

Anti-Collusion Statement

The undersigned, as Proposer, certifies that the only person or parties interested in this Proposal as principals are those named herein; that the Proposer has not, either directly or indirectly entered into any Agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the award of this Contract.

Date

Proposer Signature

EXHIBIT G – CONFLICT OF INTEREST QUESTIONNAIRE

**DESIGN-BUILD FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
SOLICITATION NO.: H93-EFDTF A-2024-003 PROJECT NO.: 1030**

Document 00457

CONFLICT OF INTEREST QUESTIONNAIRE

Chapter 176 of the Local Government Code requires every Vendor or Contractor with the City of Houston (“City”) to file a Conflict of Interest Questionnaire with the City Secretary of the City of Houston by the **seventh** business day after:

(1) any contract discussions or negotiations begin, or

(2) submitting an application, responses to requests for proposals, bids, correspondence, or any writing related to a potential Agreement with the City.

The Conflict of Interest Questionnaire is available for downloading from the Texas Ethics Commission’s website at <http://www.ethics.state.tx.us/forms/CIQ.pdf>. The completed Conflict of Interest Questionnaires will be posted on the City Secretary’s website. There will also be a list of the City’s Local Government Officers on the City of Houston’s website.

Additionally, each Vendor or Contractor must file updated questionnaires no later than **September 1st** of each year that the Vendor or Contractor seeks to contract with the City, or the **seventh** business day after the date of an event that would render the questionnaire incomplete or inaccurate.

However, a Vendor or Contractor is not required to file a new questionnaire in any year if the vendor has completed a questionnaire between June 1st and September 1st of that year, unless the previous questionnaire is incomplete or inaccurate.

Original Conflict of Interest Questionnaire shall be filed with Houston’s Records Administrator (Ms. Anna Russell, City Secretary, 900 Bagby, First Floor, Houston, Texas 77002). Vendors and Contractors shall include a copy of the form that was submitted to the City Secretary as part of the Bid Package. Any questions about filling out this form should be directed to your attorney

Failure of any Vendor or Contractor to comply with this law is a Class-C misdemeanor.

EXHIBIT G – CONFLICT OF INTEREST QUESTIONNAIRE

**DESIGN-BUILD FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
SOLICITATION NO.: H93-EFDTFA-2024-003 PROJECT NO.: 1030**

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of person who has a business relationship with local governmental entity.

2 Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3 Name of local government officer with whom filer has employment or business relationship.

Name of Officer

This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

Yes No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

Yes No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes No

D. Describe each employment or business relationship with the local government officer named in this section.

4

Signature of person doing business with the governmental entity

Date

Adopted 06/29/2007

**EXHIBIT H - RFQ STATEMENT OF QUALIFICATION/RFQ LETTER OF CLARIFICATION
ACKNOWLEDGEMENT**

**DESIGN-BUILD FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
SOLICITATION NO.: H93-EFDTF A-2024-003 PROJECT NO.: 1030**

**RFQ Statement of Qualification / RFQ LETTER OF CLARIFICATION ACKNOWLEDGEMENT
(TO BE INCLUDED IN ENVELOPE #2)**

[Respondent's Letterhead]

City of Houston

RFQ Letter of Clarification Acknowledgment

Respondent: _____

Date: _____

Amanda Joseph
Sr. Procurement Specialist
Supply Chain Management
16930 John F Kennedy Blvd
Houston, Texas 77032

In response to the Request for Qualifications (RFQ) for the Design-Build of the Project dated _____, 2023, the undersigned hereby declares that I have carefully read and examined the response documents and hereby submit all elements of the STATEMENT OF QUALIFICATIONS as required in the subject Request for Qualifications. The undersigned Respondent acknowledges the right of the City to waive informalities in the responses, to reject any or all responses submitted, and to re-advertise for responses. The undersigned acknowledges receipt and consideration of the following letter of clarification(s) to the response documents:

Letter of Clarification Number: _____ Dated: ____/____/____

Letter of Clarification Number: _____ Dated: ____/____/____

Letter of Clarification Number: _____ Dated: ____/____/____

I, the undersigned, certify that I have examined and am fully familiar with the response documents and that I have satisfied myself with the respect to any questions I had regarding the RFQ. I further certify and declare that the information stated in this response is true and correct. I declare under penalty of perjury under the laws of the State of Texas, that the foregoing is correct.

Respondent:

[Enter Legal Name of Respondent, Primary Address, and Responsible Person]

((Signature)
(Type or Print Name)
(Title)

Phone Number:

E-mail Address:

By: Respondent's Business Address:

EXHIBIT I – SURETY LETTER OF INTENT (REVISED)

**DESIGN-BUILD FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
SOLICITATION NO.: H93-EFDTF A-2024-003 PROJECT NO.: 1030**

[SURETY LETTERHEAD]
[Respondent's Letterhead]
City of Houston
SURETY LETTER OF INTENT

RESPONDENT: _____ DATE: _____

Amanda Joseph
Sr. Procurement Specialist
Supply Chain Management
16930 John F Kennedy Blvd
Houston, Texas 77032

SURETY LETTER OF INTENT

Re: REQUEST FOR QUALIFICATIONS FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)

Dear Madam:

Surety understands that Contract will be for a Not-To-Exceed amount of \$XXXXXX with a Guaranteed Maximum Price to be established at the completion Design Development documents. The Performance Bond and Payment Bond will be awarded for One Hundred Percent (100%) of the Contract's GMP Price.

By executing this letter, Surety acknowledges that it has reviewed the information in this letter and in the RFQ and, with knowledge of that information, intends to issue the required Proposal Guaranty to the Respondent, and should the Respondent be awarded the Contract, promptly deliver a Performance Bond and Payment Bond for 100% of the Not-To-Exceed amount.

(Signature)
(Type or Print Name)
(Title)

Phone Number:

E-mail Address:

By: Respondent's Business Address:

EXHIBIT J – REQUIRED SUBMITTAL CHECKLIST**DESIGN-BUILD FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
SOLICITATION NO.: H93-EFDTFA-2024-003 PROJECT NO.: 1030**

TAB #	Required Submittal Check Sheet	Check (√)
1.	Table of Contents	
2.	Introduction Letter / Cover Letter	
3.	Letter of Transmittal	
4.	Executive Summary	
5.	Project Approach	
6.	Similar Project Experience	
7.	Firm Qualifications	
8.	Project Team Qualifications	
9.	Design Services for the TSU Flight Academy at Ellington Airport (EFD)	
10.	Management and Staffing Plan Services	
11.	Project Controls	
12.	Financial Capabilities	
13.	Safety Record (Experience Modification Ratio)	
14.	OSHA Citations	
15.	EXHIBIT A – Offer and Submittal	
16.	EXHIBIT B – Bidder's Statement of MBE/WBE/PDBE/DBE/SBE Status	
17.	EXHIBIT C – Affidavit of Non-Interest	
18.	EXHIBIT D – Ownership Information Form	
19.	EXHIBIT E– Pay or Play Acknowledgement Form	
20.	EXHIBIT F – Anti-Collusion Statement	
21.	EXHIBIT G – Conflict of Interest Questionnaire	
22.	EXHIBIT H– RFQ Statement of qualification/RFQ Letter of Clarification Acknowledgement	
23.	EXHIBIT I – Surety Letter of Intent	
24.	EXHIBIT J – Required Submittal Checklist	
25.	EXHIBIT K – Respondent Contact Directory Form	
26.	EXHIBIT L – Reference Verification Form	
27.	EXHIBIT M – Bidder's M/WBE Participation Plan - Design	
28.	EXHIBIT N – Pre-Bid Good Faith Efforts - Design	
29.	EXHIBIT O – Bidder's MWSBE Goal Deviation Request - Design	

EXHIBIT K – RESPONDENT CONTACT DIRECTORY

**DESIGN-BUILD FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
SOLICITATION NO.: H93-EFDTFA-2024-003 PROJECT NO.: 1030**

RESPONDENT CONTACT DIRECTORY

NAME	POSITION/TITLE	MAILING ADDRESS	PHONE NUMBER	FAX NUMBER	EMAIL ADDRESS

The purpose of the Respondent Contact Directory is to provide the City with a centralized, easily identified source of important contacts and other information regarding each of the business entities constituting a Respondent. This Respondent Contact Directory should include the names, positions/titles, firms, mailing addresses, phone and fax numbers and e-mail addresses for each of the following as it pertains to each of the firms in a Proposer's team:

1. At least two individuals, one primary the other(s) secondary, authorized to represent the firm for purposes of this RFQ; and
2. Respondent Key Personnel (as appropriate) listed in the Submittal.

EXHIBIT L – REFERENCE VERIFICATION FORM

**DESIGN-BUILD FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
SOLICITATION NO.: H93-EFDTF A-2024-003 PROJECT NO.: 1030**

REFERENCES

- 1.1 Respondents must be able to demonstrate that they have sufficient expertise, qualified personnel experienced and that their company has done or currently providing the services of similar size as specified in the statement of work. Respondents must have been actively engaged as an actual business entity in the activities described in the bid document for at least the five (5) years immediately prior to the submission of their bid.
- 1.2 The reference(s) must be included in the space provided below. Additional pages may be added if necessary. References must be included at the time of bid submittal.

LIST OF CURRENT/PREVIOUS CUSTOMERS

- 1. Company Name: _____
Contact Person/Title: _____ Phone No.: _____
E-mail Address: _____
Address: _____
Contract Award Date: _____ Contract Completion Date: _____
Contract Name/Title: _____
Project Description: _____

- 2. Company Name: _____
Contact Person/Title: _____ Phone No.: _____
E-mail Address: _____
Address: _____
Contract Award Date: _____ Contract Completion Date: _____
Contract Name/Title: _____
Project Description: _____

- 3. Company Name: _____
Contact Person/Title: _____ Phone No.: _____
E-mail Address: _____
Address: _____
Contract Award Date: _____ Contract Completion Date: _____
Contract Name/Title: _____
Project Description: _____

EXHIBIT M – BIDDER’S M/WBE PARTICIPATION PLAN

DESIGN-BUILD FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)

SOLICITATION NO.: H93-EFDTFA-2024-003 PROJECT NO.: 1030

Document 00470

BIDDER’S MWSBE PARTICIPATION PLAN

The Bidder or Proposer shall submit this completed form with the bid, to demonstrate the Bidder/Proposer’s plan to meet the contract-specific MWSBE goal (“contract goal”). If the Bidder or Proposer cannot meet the contract goal, the Bidder/Proposer has the burden to demonstrate “Good Faith Efforts”, which shall include correctly and accurately preparing and submitting this form, a Record of Good Faith Efforts (Document 00471), and a Request for Deviation from the Goal (Document 00472), the documentation evidencing their “Good Faith Efforts”, as required by the City of Houston’s Good Faith Efforts Policy (Document 00808). The City will review the Participation Plan and Good Faith Efforts at the time of bid opening. Visit <http://www.houstontx.gov/obo> for more information.

Contract Goal	MBE	WBE	Bidder’s Participation Plan Percentage	SBE	MBE	WBE	Total
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NAICS Code (6 digit)	Description of Work (Plan Sheet #, Unit Price #, Scope of Work #, as applicable)	% of Total Bid Price (2 decimal places)	Cert. Type for Goal (MBE, WBE, SBE)	Certified Firm Name Firm Address Contact Name Phone No. and E-Mail (if available)

Signature for Company: _____* Date: _____
 Print Name: _____ Phone: _____

*I understand that supplying inaccurate information may violate Texas Penal Code Section 37.10 and lead to City sanctions.

EXHIBIT M – BIDDER’S M/WBE PARTICIPATION PLAN
DESIGN-BUILD FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
SOLICITATION NO.: H93-EFDTF A-2024-003 PROJECT NO.: 1030

DOCUMENT 00470

CONITINUATION PAGE

NAICS Code (6 digit)	Plan Item Number (if applicable)/ Description of Work	% of Total Bid Price (2 decimal places)	Cert. Type for Goal MBE, WBE, SBE)	Certified Firm Name Firm Address Contact Name Phone No. and E-Mail (if available)

Signature for Company: _____* Date: _____
Print Name: _____ Phone: _____

*I understand that supplying inaccurate information may violate Texas Penal Code Section 37.10 and lead to City sanctions

EXHIBIT N – PRE-BID GOOD FAITH EFFORTS

**DESIGN-BUILD FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
SOLICITATION NO.: H93-EFDTFA-2024-003 PROJECT NO.: 1030**

Document 00471

PRE-BID GOOD FAITH EFFORTS

Bidder or Proposer Name: _____ **Project Name and Bid/Contract #** _____

A Bidder or Proposer that may be unable to complete or follow a Participation Plan (Document CCD-00470) to meet the contract specific goal in the Agreement, must submit this completed form as well as a Goal Deviation Request Form (Document 00472), and any other documentation of “Good Faith Efforts” with the bid (see Document 00808). The Bidder or Prime Contractor has the burden to demonstrate “Good Faith Efforts” to meet the MWSBE goal, which includes correctly and accurately preparing and submitting this form and other efforts described in the City’s Good Faith Efforts Policy (Document 00808). The Office of Business Opportunity will review Good Faith Efforts and Participation Plan after selection of an apparent low bidder.

UNLESS THE BIDDER’S/PROPOSER’S PARTICIPATION PLAN MEETS THE CONTRACT GOAL, FAILURE TO SUBMIT THIS FORM MAY RESULT IN THE BID BEING FOUND NON-RESPONSIVE.

NAICS Code	Plan Item No.	MWSBE Type for Goal	Certified Firm Name Address, Phone No. and E-Mail	Certified Firm Contact Person	Method of Contact	Prime Contact Date	Certified Firm Response	Results of Contact (why suitable or not suitable for work)
					Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/>			
					Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/>			
					Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/>			
					Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/>			

Authorized Signature: _____ Date: _____ Phone: _____

Print Name: _____ Email Address: _____

EXHIBIT N – PRE-BID GOOD FAITH EFFORTS

**DESIGN-BUILD FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
SOLICITATION NO.: H93-EFDTFA-2024-003 PROJECT NO.: 1030**

CONTINUATION PAGE

NAICS Code	Plan Item No.	MWSBE Type for Goal	Certified Firm Name Address, Phone No. and E-Mail	Certified Firm Contact Person	Method of Contact	Prime Contact Date	Certified Firm Response	Results of Contact (why suitable or not suitable for work)
					Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/>			
					Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/>			
					Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/>			
					Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/>			
					Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/>			
					Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/>			
					Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/>			

Authorized Signature: _____ Date: _____ Phone: _____

Print Name: _____ Email Address: _____

EXHIBIT O – PRE-BID GOOD FAITH EFFORTS

**DESIGN-BUILD FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
SOLICITATION NO.: H93-EFDTFA-2024-003 PROJECT NO.: 1030**

Document 00472

BIDDER’S MWSBE GOAL DEVIATION REQUEST

Bidder or Proposer Name: _____

Project Name and Bid/Contract #: _____

Department Approved MWSBE Goals	SBE	MBE	WBE	Total
	%	%	%	%

Bidder’s Proposed MWSBE Goals	SBE	MBE	WBE	Total
	%	%	%	%

Justification: Please provide the reason the Bidder is unable to meet the MWSBE goal in Form 00800.

Good Faith Efforts: Please list any efforts not listed in the Bidder’s Good Faith Effort Report (Form 00471).

Date: _____ Bidder: _____

Email: _____ By: _____

Phone Number: _____ Title: _____

FOR OFFICIAL USE ONLY: Approved <input type="checkbox"/> Not Approved <input type="checkbox"/>
OBO Representative _____ Date: _____
_____ Title _____

EXHIBIT P – CONTRACT EXCEPTION CHART

**DESIGN-BUILD FOR THE TSU FLIGHT ACADEMY AT ELLINGTON AIRPORT (EFD)
SOLICITATION NO.: H93-EFDTF A-2024-003 PROJECT NO.: 1030**

This Contract Exception Chart MUST be included with the proposal response or the proposal will not be considered. **Below, is an example Exception Chart**, which is included for illustrative purposes only.

ITEM No.	CONTRACT SECTION	CONTRACT LANGUAGE ¹	REVISED LANGUAGE IN RED-LINE FORMAT ²	EXPLANATION
1	Monthly Invoices	Contractor shall submit weekly invoices to the City for Products and Services in accordance with the requirements specified in this Section.	Contractor shall submit weekly <u>monthly</u> invoices to the City for Products and Services in accordance with the requirements specified in this Section.	Proposer’s system is set up to bill on a monthly basis.
2	Contract Term	This Agreement is effective on the Countersignature Date and remains in effect for 2 years unless sooner terminated under this Agreement (“Initial Term”).	This Agreement is effective on the Countersignature Date and remains in effect for 2 years <u>3 years</u> unless sooner terminated under this Agreement (“Initial Term”).	Proposer’s proposal will require 3 years to complete

Unless a Proposer agrees with and can fulfill all of the conditions and requirements in a contract clause, Proposer must state the exceptions to the clause in this chart and suggest proposed modifications to the specific contract language with which the Proposer disagrees or for which Proposer is unable to satisfy the condition or requirement, including an explanation of the revision (if any). If Proposer does not list an item as a contract exception on this chart, the City reserves the right to hold the Proposer accountable to perform in strict compliance with the proposed contract, if awarded to Proposer.

Explanation Box: Proposer should include an explanation to accompany the exception (e.g. the revised language), unless the revision is self-explanatory. Explanations may address a variety of matters, including, but not limited to:

- Distinguishing attributes or benefits associated with the response;
- Rationale for Proposer’s revisions;
- Limitations, special conditions or deviations requested by Proposer;
- Additional descriptive information;
- Suggestions for services or features in addition to those requested by City of Houston; and Any matter that Proposer believes would be helpful to the City in reviewing the exception

¹ NOTE THAT THIS LANGUAGE IS MERELY ILLUSTRATIVE AND DOES NOT NECESSARILY REPRESENT ANY ACTUAL LANGUAGE IN THE RFP OR TERMS AND CONDITIONS RELATED TO THE RFP. PROPOSER SHALL INCLUDE THE EXACT LANGUAGE FROM THE RFP OR THE TERMS AND CONDITIONS IN THIS COLUMN.

² THE EXAMPLES OF REDLINED LANGUAGE ARE MERELY ILLUSTRATIVE AND DO NOT INDICATE LANGUAGE THAT THE CITY WOULD OR WOULD NOT ACCEPT OR BE WILLING TO AGREE TO.