



**CITY OF HOUSTON
HOUSTON AIRPORT SYSTEM**

**REQUEST FOR QUALIFICATIONS (RFQ)
SOLICITATION NO.: HJA-TWYefd-2022-011
DESIGN-BUILD SERVICES FOR TAXIWAY L AND RUNWAY 4-22
SHOULDERS CONSTRUCTION AT ELLINGTON AIRPORT (EFD)**

Date Issued: January 7, 2022

Pre-Submittal Conference / Site Visit: January 20, 2022, 10:00 A.M. (CST)
Lone Star Flight Museum Events Center located at 11551 Aerospace Ave., Houston, TX 77034.
A site visit will take place immediately after the conference completion.

Questions Deadline: January 27 @ 12:00 Noon (CST)

Solicitation Due Date: February 24, 2022 @ 2:00 P.M. (CST)

Solicitation Contact Person: Jorge Ardines
Sr. Procurement Specialist, Houston Airport System
jorge.ardines@houstontx.gov
281-233-1620

Project Summary: Design and construction of Taxiway L and Runway 4-22 Shoulders Construction at Ellington Airport (EFD).

NIGP Code: 90625

DBE Goal: 27%

DS

Handwritten signature of Jerry Adams in blue ink.

DocuSigned by:

Jerry Adams

0DD350139A6F4C8...

Jerry Adams
Chief Procurement Officer
City of Houston

1/4/2022 | 11:38 CST

Date

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REQUEST FOR QUALIFICATIONS (RFQ)

PART 1 – GENERAL INFORMATION

1.0 GENERAL INFORMATION

1.1 The City of Houston (City) invites interested firms to submit Statements of Qualifications (SOQ), Technical and Cost Proposals in accordance with Texas Government Code § Chapter 2269, Sub-Chapter H, for Design-Build Services for the construction of Taxiway L and Runway 4-22 Shoulders at Ellington Airport (EFD).

1.2 The City is soliciting qualifications and responses from Design-Build firms, teams, and/or joint ventures to design and construct of Taxiway L and Runway 4-22 Shoulders at EFD hereinafter, referred to as the “Project”. The Scope of Services provided is defined in Attachment A – Scope of Services. The City is seeking a project team approach to design and construct with a focus and commitment to achieving design and construction excellence. The Contractor’s scope of work for the Project will be in multiple phases under the Design-Build Agreement between the City and Design Build Respondent.

2.0 PROGRAM BACKGROUND

2.1 The Houston Airport System (HAS) has identified a significant need for the construction of Taxiway L and shoulders for Runway 4-22 at EFD. HAS contracted with HNTB to prepare Taxiway L draft program definition and 30 percent of the plans (drawings). The document is dated May 2021. HAS contracted with Gunda Corporation to prepare a Design Criteria and Bridging Documents package for use by firms interested in performing the Final Design and Construction.

2.2 Vision

2.2.1 Key to this Project’s success is to support the Houston Airport System’s Vision Statement to establish Houston as a five-star global air service gateway where the magic of flight is celebrated. This project will provide support for Houston Spaceport Phase One access to runways for Spaceport operations and aerospace manufacturing logistics.

2.2.2 The Design Build Respondent shall embrace the following HAS core values in completing the design and the construction of this Project.

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Relationships	Service
<ul style="list-style-type: none"> ▪ We work together with integrity; treat every individual with courtesy and respect. 	<ul style="list-style-type: none"> ▪ We WOW our customers through a “can do” attitude and respond quickly to meet and exceed their expectations.
<ul style="list-style-type: none"> ▪ We honor our commitments and behave in a manner that earns trust. 	<ul style="list-style-type: none"> ▪ We find ways to bring fun and joy into our work and bring customers along for the ride.
<ul style="list-style-type: none"> ▪ We promote collaboration and teamwork across the organization. 	<ul style="list-style-type: none"> ▪ We respond promptly and effectively.
<ul style="list-style-type: none"> ▪ We are reliable and trustworthy; we honor our promises and commitments. 	<ul style="list-style-type: none"> ▪ We show respect, compassion, and let people know we care.
<ul style="list-style-type: none"> ▪ We are open, positive and constructive in our feedback. 	<ul style="list-style-type: none"> ▪ We willingly provide the necessary time and effort to meet the customer’s needs.
<ul style="list-style-type: none"> ▪ We treat people like they want to be treated. 	<ul style="list-style-type: none"> ▪ We are flexible and adaptive in a dynamically changing business environment.
<ul style="list-style-type: none"> ▪ We take responsibility for our actions. 	<ul style="list-style-type: none"> ▪ We display enthusiasm and passion for our work.
<ul style="list-style-type: none"> ▪ We lead by example. 	

Innovation	Excellence
<ul style="list-style-type: none"> ▪ We have the courage and willingness to consider new and unconventional ways of thinking. 	<ul style="list-style-type: none"> ▪ We strive for quality and skillful execution without compromise.
<ul style="list-style-type: none"> ▪ We assume responsibility for learning new things. 	<ul style="list-style-type: none"> ▪ We use the power of total employee involvement to achieve our organizational goals.
<ul style="list-style-type: none"> ▪ We embrace new ideas. 	<ul style="list-style-type: none"> ▪ We foster a culture of shared values that gets things done.
<ul style="list-style-type: none"> ▪ We listen with an open mind. 	<ul style="list-style-type: none"> ▪ We take calculated risks needed to achieve results.
<ul style="list-style-type: none"> ▪ We are future-focused; “I’ve always done it this way” does not exist in our vocabulary. 	<ul style="list-style-type: none"> ▪ We look for new and more effective ways to do business.
<ul style="list-style-type: none"> ▪ We recognize change as an opportunity. 	<ul style="list-style-type: none"> ▪ We encourage continuous improvement.

2.2.3 Objectives for Project delivery are as follows:

- 2.2.3.1 Quality: Deliver a project that exceeds the minimum performance specification outlined in the Design Criteria Package.
- 2.2.3.2 Cost: Obtain the most cost-effective design and construction that will optimize the total cost of ownership for HAS.
- 2.2.3.3 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.
- 2.2.3.4 Public: Provide a safe and effective project that minimizes nuisance impacts to the public.
- 2.2.3.5 Traffic: Maintain existing traffic patterns at all times except as directed by the Project Manager.
- 2.2.3.6 Risk: Effectively manage and achieve an optimal balance of risk allocation between HAS and the Design Build Respondent.

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2.2.3.7

Safety:

Manage and implement an effective safety program incorporating industry practices.

2.2.3.8

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

2.2.3.9

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

3.0

SCHEDULE

3.1

The City may hold interviews for the benefit of clarifying responses for the Houston Airport System's best interest. Respondent shall be prepared to accommodate the schedule requirements throughout the procurement process so as not to extend the length of the procurement process unreasonably. The Respondent may be required to provide additional information before the City selects a response that best meets the RFQ requirements.

4.0

SOLICITATION SCHEDULE

4.1

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>) via Letter(s) of Clarification.

EVENT	DATE
Date RFQ Published	01/07/2022
Pre-Submittal Conference	01/20/2022
Questions from Respondents Due to City	01/27/2022
SOQ Submittal Due from Respondent (Step One)	02/24/2022
Notification of Shortlisted Firms	03/17/2022
Technical and Cost Proposals Due (Step Two)	03/31/2022
Oral Interview/Presentation	05/03/2022
Negotiation (Estimated)	06/17/2022
City Council Agenda Date (Estimated)	08/17/2022
Contract Start (Estimated)	09/01/2022

5.0

PROCUREMENT PROCESS OVERVIEW

5.1

Procurement Approach

5.1.1

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 Respondent.

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- 5.1.2 The City will conduct a Pre-Submittal Conference for this solicitation. Please refer to the procurement schedule for exact details of time and place. 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.
- 5.1.3 The SOQ(s) will be reviewed and evaluated in accordance with this RFQ to develop a Shortlist of Qualified Respondents deemed as the most qualified to execute the Design-Build Project on behalf of the City. Shortlisted firms will receive an invitation to proceed to Request for Proposal (RFP), **Step Two** of the process.
- 5.1.4 **Step Two** of the procurement process may also require an oral interview/presentation of the shortlisted firms of which the agenda is later discussed in this Document.
- 5.1.5 Upon determining the Most Qualified Respondent, the City shall commence contract negotiations at the appropriate time. 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.

5.2 Contracting Approach

- 5.2.1 The City plans to award the Design-Build Contract to the Respondent with the “Best Value” criteria defined herein utilizing the following Design-Build delivery method:

- 5.2.1.1 The Design-Build firm will perform services for this Project under a Four-Phase delivery method. The four phases consist of:

Phase 1 – CGMP for Pre-Engineering/Design/Preconstruction/Enabling Work (180 calendar days) : This phase will commence shortly after award of the Contract upon issuance of a Phase 1 – Notice to Proceed (NTP) by the City in accordance with the accepted COST PROPOSAL for Phase 1 Services. The culmination of Phase 1 will be completion and approval of the Issued for Construction drawings and specifications and construction execution plans and the obtaining of all necessary permits.

Phase 2 – CGMP for Phase 1 Construction of Portions of the Taxiway L for Runway 4-22 Access to Spaceport Tenants (180 calendar days) : This phase will commence only upon the City’s issuance of a construction NTP for that portion of the work and will be completed in accordance with the Scope of Work and durations identified in the NTP.

Phase 3 – CGMP for Phase 2 Construction for Remaining Portion of Taxiway L (210 calendar days) : This phase will commence only upon the City’s issuance of a construction NTP for that portion of the work and will be completed in accordance with the Scope of Work and durations identified in the NTP.

Phase 4 – CGMP for Remaining Construction Work and Connection to Runway 17-35 (180 calendar days) : This phase will commence only upon the City’s issuance of a construction NTP for that portion of the work and will be completed in accordance with the Scope of Work and durations identified in the NTP.

- 5.2.2 Although the City desires to perform all the work of Phases 2, 3 and 4, the City reserves the

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right not to issue a Construction NTP and to pursue other procurement alternatives should the City determine it would be in their best interest to do so.

- 5.2.3 If the City pursues such a course of action and does not issue the NTP for Phases 1, 2, 3 and/or 4 to the Design-Build Firm, and terminates the Contract with the Design Build Respondent. If the Design Build Respondent receives such direction, the contracts between the Design Build Respondent's designer shall be assigned to the City with no liability for any outstanding amounts due at the time of the assignment. In its sole discretion, the City may accept the assignment to fall, some, or none of the designer's work and will own all work products in electronic and physical formats developed in Phase 1 upon their payment for Phase 1 work up to the time of assignment. Regardless of any work constructed, all Design work, drawings, and specifications will become the property of the City and shall be promptly turned over to the City upon their request.

PART II – GENERAL REQUIREMENTS

6.0 GENERAL REQUIREMENTS

- 6.1 The City of Houston will rely upon the respondent to verify that any prospective participating respondents and subcontractors are appropriately licensed, insured, and has arranged to work with a bonding company as well as the 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 conditions at its discretion. Portions of this Project may be funded by a Federal Grant from the Department of Commerce, reporting requirements may be implemented by the City to comply with the requirements of these grants. Also, portions of this project may be funded by the FAA AIP Grants Program (Entitlement and Discretionary) and the Texas Spaceport Infrastructure Grant Program.
- 6.2

QUALIFICATIONS OF RESPONDENTS

7.0 Demonstrated Competence and Qualifications

- 7.1 All Respondents must propose qualified personnel and team members to accomplish the services required by the City as described herein. Appropriately licensed Architects and Engineers must execute design portions of the work.
- 7.1.1 Professional service providers under this contract shall be licensed to practice in the State of Texas.

Performance and Payment Bonds

- 7.2 In accordance with Chapter 2269 of the Texas Government Code, the Respondent 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 Respondent executes the Design-Build Agreement. The penal sums for the performance and payment bonds must be equal to the Total Contract Price of the work. Alternatively, if only a portion of the work is initially authorized, the Design Build Respondent may furnish performance and payment bonds in the amount of the work authorized and other financial security acceptable to the Director of Houston Airport System (Director) to ensure that Design Build Respondent will furnish the remaining required performance and payment bonds when the total Contract Price is established.
- 7.2.1

7.3 Surety Letter of Intent

- 7.3.1 Respondent shall fill out Surety Letter of Intent form, Exhibit I.

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7.4 Financial Capabilities

- 7.4.1 Respondent is 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.
- 7.4.1.1 Respondent must provide audited financial statements for the last two years if they are available. If audited financial statements are not available, Respondent must provide tax returns and along with unaudited or reviewed financial(s) for the last two years.
- 7.4.1.2 Provide a brief statement of the Respondent's bonding ability to fulfill the obligations.

7.5 Disadvantage Business Enterprises(DBE)

- 7.5.1 Contractors shall make Good Faith Efforts to award subcontracts or supply agreements in at least the values stated in Section 13.4. Respondent 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.

7.6 Safety Records and OSHA

- 7.6.1 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:
- 7.6.2 Respondent and if a joint venture, each member of the joint venture, must have an Experience Modification Rate (EMR) at or below 0.95 for the previous 12 months (from the RFQ issuance date). This information must be validated in a letter from the Respondent's insurance carrier.
- 7.6.3 Respondent and 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.
- 7.6.4 Has the Respondent or any member of the joint venture received a citation from OSHA in excess of serious (i.e., willful) within the previous five (5) years? If yes, provide details.

7.7 Joint Ventures or Partnerships

- 7.7.1 If the Respondent is a joint venture or partnership, the Respondent must submit with its SOQ a copy of 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 for completing all of the work and to third parties for all duties, obligations and liabilities which arise out of the performance of the work. See forms to be submitted with SOQ as described in PART VI Section 16.0.
- 7.7.2 Each firm of the joint venture or partnership must respond to all elements of the required forms described in Section 16.0 separately. The firms must each submit a complete set to the City at the time the response is submitted.
- 7.7.3 Only one firm of the joint venture or partnership needs to meet each of the SOQ Experience Requirements in order to be further evaluated as a Respondent.

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7.8 Prohibitions

7.8.1 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 C) are prohibited from participating on this Project.

7.8.2 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: Jorge Ardines, Senior Procurement Specialist

Subject: "PROHIBITION QUESTION – Taxiway L and Runway 4-22 Shoulders Construction at Ellington Airport (EFD) Project"

Email address: jorge.ardines@houstontx.gov

7.8.3 Any Respondents who submit an 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.

7.9 Respondent References

7.9.1 The Respondent 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.

7.9.2 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.

7.9.3 Any information stated in the response found and determined by the City to be a misrepresentation of a Respondent's past experiences may be considered as grounds for disqualification of the response. The City may ban Respondent's participation in future City RFQ's.

7.9.4 Submittal 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, representatives, and attorneys ("Investigating Parties") during the evaluation process. Each Respondent, by submittal 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 submittal 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 submittal 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.

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8.0 OTHER INFORMATION

8.1 Validity Period

8.1.1 All submittal(s) 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.

8.2 Only One Submittal Accepted

8.2.1 The City will accept only one submittal for this solicitation from anyone Respondent. This shall include submittal(s) received under different names by one firm, corporation, partnership, or joint venture. Evidence of collusion among Respondents shall be grounds of elimination for any Respondent who is a participant in any such collusion. Optional offers submitted in addition to conforming submittal(s) 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 submitting a response to this RFQ.

8.3 Authorized Signatures

8.3.1 When signing the Response, each party signing must:

8.3.1.1 State that the facts represented in the submittal are true and correct; and

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

8.4 Information Requested and Not Furnished

8.4.1 The information requested and the manner of submittal 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 furnished (within the City's time limits) or when a direct or complete answer is not provided.

8.5 Designation of Independent Engineer

8.5.1 Pursuant to Chapter 2269 of the Texas Government Code, the City will designate an Engineer who is independent of the design-build firm to act as representative for the procurement process and for duration of the work on the civil works project.

8.6 Stipend For Unsuccessful Respondents

8.6.1 Zero dollars

8.7 Response Errors

8.7.1 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 submittal unless a request is made in writing that thoroughly describes the circumstances and is approved by the City in writing. Nothing herein shall be construed to entitle Respondent to alter Response documents, except as required by law.

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8.7.2 Corrections after Submittal

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.

8.7.3 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 non-responsive, and the Response may be rejected or may be accepted in City's sole discretion.

8.7.4 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.

8.7.5 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.

8.7.6 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.

PART III – EVALUATION PROCESS

9.0 STEP ONE: REQUEST FOR QUALIFICATIONS

9.1 Overview

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

9.2 City Required Forms

9.2.1 The Respondent shall complete all the City required forms enclosed herein as Section 16.0 – FORMS TO BE SUBMITTED WITH SOQ and shall initial any and all alterations or erasures in its submittals. The Respondent shall not delete, modify, or supplement the printed matter on the City required forms, or make substitutions thereon.

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9.3 City Required Forms Format

- 9.3.1 Contents of Envelope #1 must include one (1) original and one (1) copy of the City required forms described in PART VI Section 16.0, as well as an electronic PDF copy on a non-returnable USB drive provided with the original.
- 9.3.2 The hard copies shall be bound using 8½” by 11” pages with no staples.
- 9.3.3 The Respondent shall ensure that each page of its response is identified with the Project name and Respondent’s name and page number.

9.4 City Required Forms Review

- 9.4.1 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.

9.5 Statement Of Qualifications Format And Content

- 9.5.1 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 provided with the original. Original to be marked as “**Original**” and copies to be marked as “**copy 1 of X**” etc.
- 9.5.2 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 10 point font and, must be consistent throughout the document. Each RFQ response shall be organized in the following order:

Step 1: SOQ Content
Cover Letter / Introduction Letter / Executive Summary / Letter of Transmittal
Project Approach
Firm(s) Qualifications
Team Qualifications and Management Plan
Design and Preconstruction/Construction Phase Services
Project Controls
Minimum Required Experience
Financial Capabilities
DBE Compliance
Experience Modification Rate
OSHA Records

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- 9.5.3 The Respondent shall ensure that each page of its response is identified with the Project name and Respondent's name and page number.
- 9.5.4 Responses shall include tabbed section indicators and tab pages shall not include any content, graphic or text other than header of the section.
- 9.5.4.1 SOQ responses which contain unnecessarily elaborate art work, marketing brochures or expensive paper and/or bindings are highly discouraged.
- 9.5.4.2 All forms provided in this RFQ shall use the exact format provided.
- 9.5.4.3 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 for approach and/or information requirements.
- 9.5.5 Submittals shall be delivered to the address below not later than 2:00 P.M., CST, Thursday, **Feb 24, 2022:**

Cathy Vander-Plaats
Procurement Officer
Supply Chain Management
18600 Lee Road
Humble, TX 77338

- 9.5.6 City reserves the right to extend the due date for this Request for Qualifications 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 submittal of a SOQ does not in any way commit the City to enter into an agreement with that Respondent or any other Respondent.
- 9.5.7
- 9.5.8 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.
- Step one of the Response shall consist of STATEMENT OF QUALIFICATIONS with the required forms described below.

9.6

9.6.1 Step One - Statement of Qualifications Evaluation

- STATEMENT OF QUALIFICATIONS The Evaluation Committee may develop a short list of respondents. Respondents may be scheduled for a structured oral presentation and interview where they will be asked to present their interpretation of the Project, based on information provided within the attached Scope of Services document and other referenced documents. Shortlisted respondents may receive clarifying questions from the Evaluation Committee in advance of their presentation and interview. Please note that the City is not responsible for any costs associated preparation or submittal of a response to this RFQ or with oral presentation and interviews.
- 9.6.2

Respondents meeting the Minimum Qualifications of this RFQ shall be evaluated as follows:

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MINIMUM QUALIFICATIONS	Pass/Fail
Minimum Required Experience	Pass/Fail
Financial Capabilities	Pass/Fail
DBE Compliance	Pass/Fail
Experience Modification Rate	Pass/Fail
OSHA Records	Pass/Fail
EVALUATION CRITERIA	Score
Project Approach	30 points
Firm(s) Qualifications	20 points
Team Qualifications and Management Plan	20 points
Design and Preconstruction/ Construction Phase Services	20 points
Project Controls	10 points
TOTAL SCORE	100 Points

9.6.3 **Minimum Required Experience – Pass/Fail.** Complete Exhibit N and submit it with your SOQ.

9.6.3.1 Must have experience as Prime or JV Partner on at least one (1) similar taxiway project at an operating airport under any delivery method in excess of \$50M in contract value and at least one (1) similar project under a Design Build delivery method that are in progress or completed in the last 10 years. The experience must be validated in a reference letter from the owner.

9.6.4 **Financial Capabilities – Pass/Fail**

9.6.4.1 As referenced in PART II. Section 7.4 Financial Capabilities, submit audited financial statements for the last two years. Provide a brief statement of the Respondent's bonding ability to fulfil the obligations.

9.6.5 **DBE Compliance – Pass/Fail**

9.6.5.1 As referenced in PART V. Section 13.4 DBE and Local Participation Plan and City required documents listed as Exhibits, Attachments, and referenced in Part IV herein.

9.6.6 **Experience Modification Rate – Pass /Fail**

9.6.6.1 Respondent and if a joint venture, each member of the joint venture, must have an Experience Modification Rate (EMR) at or below 0.95 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.

9.6.7 **OSHA Records – Pass/Fail**

9.6.7.1 Respondent and 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.

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9.6.7.2 Has the Respondent or any member of the joint venture received a citation from OSHA in excess of serious (i.e., willful) within the previous five (5) years? If yes, provide details.

9.7 Statement Of Qualifications Response Scoring Criteria

9.7.1 Project Approach (30 Points, Maximum of 20 Pages)

9.7.1.1 Outline your management tools, strategies, and methodologies that will enable successful delivery of the Project. **(20 points)**

9.7.1.1.1 Outline how the Work will be delivered around possible restricted working times and operating areas of an active airport.

9.7.1.1.2 Describe how the work needed to allow access to Runway 4-22 for Spaceport tenants by June, 2023, will be delivered on time.

9.7.1.1.3 Describe your experience in delivering phased construction projects.

9.7.1.1.4 Provide your methodology for the procurement of any long-lead items.

9.7.1.1.5 Describe your approach to project communication.

9.7.1.1.6 Describe your approach to conflict and dispute resolution and the management of contractual conflicts.

9.7.1.1.7 Describe your experience in providing sustainable solutions to infrastructure projects.

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

9.7.1.2 Describe Respondent's Quality Control program. **(10 points)**

9.7.1.2.1 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.

9.7.1.2.2 Describe how Respondent's quality control team will measure the quality of design and construction performed by the Designer and subcontractors and how non-conforming work will be addressed.

9.7.2 Firm(s) Qualifications (20 Points, Maximum of 15 Pages)

9.7.2.1 Provide a description of a minimum of two (2) and a maximum of five (5) projects performed by your firm and/or team member that are similar in type, scope, cost and magnitude to this Project, especially at operating airports within the last ten (10) years. At least one (1) project must be a Design Build project. **(10 points)**

9.7.2.1.1 Provide the project name with the associated client name and contact information for all projects submitted. Provide the associated Design Consultant firm and firm's project principal and project manager's name and contact information.

9.7.2.1.2 Provide a list of all Key Personnel who worked on each project.

**TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
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- 9.7.2.2** Explain your organization structure, including an organizational chart, and why it has the necessary expertise and resources to execute a project of this scope. **(5 points)**
- 9.7.2.3** Detail years in business, past contract awards and other pertinent information about your firm, JV or significant key sub consultants/contractors. **(5 point)**
- 9.7.2.3.1 A JV, further explain why your firms decided to partner and the value the partnership will bring to HAS.
- 9.7.2.3.2 Or any Key JV partner or significant sub-contractor, provide your previous relationship history of working together.
- 9.7.2.3.3 What strength does each proposed consultant and subcontractor bring to this relationship?
- 9.7.3 Team Qualifications and Management Plan (20 Points, Maximum of 10 Pages + Resumes)**
- 9.7.3.1** Respondent shall submit: **(10 points)**
- 9.7.3.1.1 Description for each Key Personnel position during Preconstruction and Construction Phases of the Project. Key Personnel shall include at the minimum: Project Lead, Project Design Lead, Project Controls Lead, Superintendent, Quality Management Lead and Safety Lead.
- 9.7.3.1.2 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 HAS's prior written approval.
- 9.7.3.1.3 Brief resume for each Key Personnel demonstrating their qualifications and experience. Resumes shall include the following:
- 9.7.3.1.3.1 Name, Role
- 9.7.3.1.3.2 Firm
- 9.7.3.1.3.3 No. of years with current firm
- 9.7.3.1.3.4 Total years' experience
- 9.7.3.1.3.5 Education, professional licensing
- 9.7.3.1.3.6 Experience in their respective areas of expertise
- 9.7.3.2** Management and Staffing Plan: **(10 points)**
- 9.7.3.2.1 Provide a management and staffing plan in a table format that lists all Project tasks, the proposed team member (names) assigned to each project task and their level of responsibility for each task during each Project phase.
- 9.7.3.2.2 Describe your plan for transitioning between Preconstruction and Construction Phase services in terms of management continuity and roles and responsibilities of Key Personnel.
- 9.7.4 Design and Preconstruction/ Construction Phase Services (20 Points, Maximum of 15 Pages)**
- 9.7.4.1** Describe Respondent's perception of critical design and construction risks for this Project and strategy for mitigating risks. **(10 points)**

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- 9.7.4.2** Describe what tools the Respondent uses for risk management. **(5 points)**
- 9.7.4.3** Describe the Respondent's approach to design and construction phase services with regard to safety, cost, schedule, and constructability. **(5 points)**
- 9.7.5 Project Controls (10 points, Maximum of 10 Pages)**
- 9.7.5.1** Provide a high-level schedule for this Project. **(5 points)**
- 9.7.5.1.1 Describe how Respondent will develop, maintain, and update the Project schedule during each Phase.
- 9.7.5.1.2 Describe Respondent's approach to assuring timely completion of this Project, including methods for performance measurement and float creation and schedule recovery, if necessary.
- 9.7.5.2** Describe construction cost estimating methods, including historical benchmarking data that will be used to ensure Design to Budget compliance through the Preconstruction Phase. **(5 points)**
- 9.7.5.2.1 Describe cost tracking and control methods during design and construction. Describe how your project controls systems will be able to supply information to HAS in the WBS identified by HAS.
- 9.7.5.2.2 Describe how innovative work practices, innovative use of technologies, and innovative techniques or cost reduction strategies could benefit HAS.

9.8 RESPONSE TO REQUEST FOR QUALIFICATIONS DELIVERY INSTRUCTIONS

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

ENVELOPE #1 - **CITY REQUIRED FORMS**

RESPONDENT NAME _____
CONTACT NAME _____
CONTACT EMAIL _____
CONTACT PHONE NUMBER _____
RFQ CITY REQUIRED FORMS

Label in Upper Left-Hand Corner

HOUSTON AIRPORT SYSTEM RFQ – TAXIWAY L AND RUNWAY 4-22 SHOULDERS AT ELLINGTON AIRPORT PROJECT SOLICITATION NO.: HJA-TWYefd-2022-011 Attention: Cathy Vander-Plaats Procurement Officer Supply Chain Management 18600 Lee Road Humble, TX 77338
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**TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
AIRPORT RFQ NO.: HJA-TWYefd-2022-011**

ENVELOPE #2 – **STATEMENT OF QUALIFICATIONS**

RESPONDENT NAME _____
CONTACT NAME _____
CONTACT EMAIL _____
CONTACT PHONE NUMBER _____
RFQ STATEMENT OF QUALIFICATIONS

Label in Upper Left-Hand Corner

HOUSTON AIRPORT SYSTEM RFQ- TAXIWAY L AND RUNWAY 4-22 SHOULDERS AT ELLINGTON AIRPORT PROJECT SOLICITATION NO.: HJA-TWYefd-2022-011 Attention: Cathy Vander-Plaats Procurement Officer Supply Chain Management 18600 Lee Road Humble, TX 77338

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10.0 STEP TWO REQUEST FOR PROPOSAL

STEP TWO: REQUEST FOR PROPOSAL WILL ONLY BE REQUIRED OF SHORTLISTED RESPONDENTS AS REQUESTED BY THE CITY

10.1 Overview

Upon written request from the City, Respondent shall submit the RFP Proposal. The RFP Proposal consists of two (2) parts: TECHNICAL PROPOSAL and COST PROPOSAL.

10.2 Technical Proposal Content

10.2.1 The Respondent shall submit the TECHNICAL PROPOSAL 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 HAS. The TECHNICAL PROPOSAL must address the following:

- Addendum Acknowledgment [Letter of Clarification (LOC)]
- Project Approach
- Anticipated Problems
- Proposed Solutions to Anticipated Problems
- Ability to Meet Schedules
- Conceptual Engineering Design/Comments on Design Criteria Package
- Exceptions to Standard Contract

10.1.1 All Responses must be submitted in accordance with this RFP. Responses shall be in writing and Respondents shall complete and return all applicable documents. If the response does not conform to the RFQ 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

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will not be accepted unless it specifically addresses the RFP requirements for approach and/or information.

10.3 Technical Proposal Format

10.3.1 Contents of Envelope #1 will include one (1) original of the ADDENDUM ACKNOWLEDGEMENT [LETTER OF CLARIFICATION (LOC)] and TECHNICAL PROPOSAL 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 provided with the original. Original to be marked as “Original” and copies to be marked as “copy 1 of X” etc.

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

Step 2: Proposal Content
Project Approach
Anticipated Problems
Proposed Solutions To Anticipated Problems
Ability To Meet Schedules
Conceptual Engineering Design/ Comments on Design Criteria Package
Cost Proposal and Exceptions to Standard Contract

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

10.3.4 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.

10.3.5 Responses shall use minimum 10 point font in Arial and none smaller, excluding titles and captions for graphics and for tables and must be consistent for the whole document.

10.3.6 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.

10.3.7 All text shall be clear of binding edge margin.

10.3.8 The Respondent’s TECHNICAL PROPOSAL shall not exceed 25 pages single sided. This page limit does not include:

10.3.8.1 Covers, Tabs, Letters, Addendum Acknowledgment (LOC) or disclosure of legal and administrative proceedings and financial condition, and City of Houston required forms.

10.3.8.2 TECHNICAL PROPOSALS that contain unnecessarily elaborate art work, marketing brochures or expensive paper and/or bindings are highly discouraged.

10.3.8.3 Exceptions to Standard Contract Form.

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10.3.8.4 All forms provided in this RFP shall use the exact format provided.

10.4 Technical Proposal Response Scoring Criteria

The following are the scoring criteria for the Technical Response and Cost Proposal. The Respondent shall submit the TECHNICAL PROPOSAL using the format described herein. Respondent shall present any attributes that the Respondent believes are unique to its team members, qualifying them to perform the services from HAS. The TECHNICAL PROPOSAL must be in response to the information conveyed within the Design Criteria.

Step 2: Proposal Content	Weights
Project Approach	10
Anticipated Problems	10
Proposed Solutions To Anticipated Problems	10
Ability To Meet Schedules	10
Conceptual Engineering Design/ Comments on Design Criteria Package	10
TOTAL TECHNICAL PROPOSAL SCORE	50 Points
COST PROPOSAL SCORE	50 Points
TOTAL MAXIMUM SCORE	100 Points

10.4.1 Project Approach – 10 Points

10.4.1.1 Describe Respondent’s strategy to manage the Preconstruction and Design process up to the conclusion of Phase 1 - Preconstruction and Design.

10.4.1.2 Describe Respondent’s approach in managing the Design to Budget process during Phase 1- Preconstruction and the strategy used to meet the Contract Price during Phase 2 of Construction. Describe how the Respondent’s cost control process will ensure the executed contract will be within HAS’s budget on this Project.

10.4.2 Anticipated Problems - 10 Points

10.4.2.1 The Respondent is to review and provide comments on the Design Criteria Package.

10.4.2.2 Based upon the Design Criteria Package, describe the anticipated problems and issues the Respondent foresees in Phase 1 Preconstruction and Phase 2 Construction.

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10.4.3 Proposed Solutions – 10 Points

10.4.3.1 Provide Respondents' solutions for the problems identified in 10.4.2.2.

10.4.4 Ability to Meet Schedules - 10 Points

10.4.4.1 Describe Respondent's approach to managing the Project Schedule during Preconstruction, Design and Construction to ensure Project milestones are met.

10.4.5 Final Engineering Design – 10 Points

10.4.5.1 Based on the Design Criteria Package, describe Respondent's concepts for finalizing the design from the bridging documents stage to the final Issued For Construction plans and specifications and obtaining all requirement permits.

10.4.6 Cost Proposal – 50 Points

10.4.6.1 Lowest proposed cost receives the maximum points.
Awarded points formula for proposed cost higher than the lowest proposed cost: $\text{Lowest Cost} / \text{Higher Cost} = \text{XX}$ multiplied by Weighted Points = Awarded Points.

10.4.6.2 The City will begin contract negotiations with the highest ranked Respondent(s) based upon the sample contract attached to this RFQ, in accordance with the provisions defined above in Section 5 of this RFQ. If negotiations result in agreement, the proposed contract will be submitted to the City Council for approval.

10.5 COST PROPOSAL CONTENT

10.5.1 The Respondent shall submit the COST PROPOSAL using the format described herein. The COST PROPOSAL will contain the following:

10.5.1.1 Cover Letter

10.5.1.2 COST PROPOSAL FORM

10.5.2 Subsequently, cost proposals from the short-listed firms will be opened, evaluated, and scored per Section 10.4.6.1.

10.6 COST PROPOSAL FORMAT

10.6.1 Contents of Envelope #2 will include one (1) original of the Cover Letter and COST PROPOSAL 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 provided with the original. Original to be marked as "Original" and copies to be marked as "copy 1 of X" etc.

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AIRPORT RFQ NO.: HJA-TWYefd-2022-011**

10.7 REQUEST FOR PROPOSAL DELIVERY INSTRUCTIONS

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

ENVELOPE #1 –TECHNICAL PROPOSAL

RESPONDENT NAME _____ CONTACT NAME _____ CONTACT EMAIL _____ CONTACT PHONENUMBER _____ RFP TECHNICAL PROPOSAL
--

Label in Upper Left-Hand Corner

HOUSTON AIRPORT SYSTEM RFP- TAXIWAY L AND RUNWAY 4-22 SHOULDERS AT ELLINGTON AIRPORT PROJECT SOLICITATION NO.: HJA-TWYefd-2022-011 Attention: Cathy Vander-Plaats Procurement Officer Supply Chain Management 18600 Lee Road, Humble, TX 77338
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Label in Center

ENVELOPE #2 –COST PROPOSAL

RESPONDENT NAME _____ CONTACT NAME _____ CONTACT EMAIL _____ CONTACT PHONENUMBER _____ RFP COST PROPOSAL

Label in Upper Left-Hand Corner

HOUSTON AIRPORT SYSTEM RFP- TAXIWAY L AND RUNWAY 4-22 SHOULDERS AT ELLINGTON AIRPORT PROJECT SOLICITATION NO.: HJA-TWYefd-2022-011 Attention: Cathy Vander-Plaats Procurement Officer Supply Chain Management 18600 Lee Road Humble, TX 77338

Label in Center

PART IV – SUBMITTAL OF RESPONSES

11.0 INSTRUCTION FOR SUBMITTALS

11.1 Time for Submittal. Submittals shall be submitted no later than the date and time indicated for submittal in this RFQ. Late submittals will not be considered and will be returned unopened.

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- 11.2** **Format.** Submittal should be left-bound. Material should be organized following the order of the submittal requirements separated by labeled tabs. Expensive paper and bindings are discouraged since no materials will be returned.
- 11.3** **Complete Submittal.** Respondents are advised to carefully review all the requirements and submit all documents and information as indicated in this RFQ. Incomplete submittal(s) may lead to a submittal being deemed non-responsive. Non-responsive submittal(s) will not be considered.
- 11.4** **Timely Delivery of Submittal(s).** The submittal must be delivered by hand or sent to the Houston Airport System, Supply Chain Management's Office 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 City of Houston and on any correspondence related to the submittal. The package must be delivered to the designated building and packages delivered by express mail services to other locations might not be re-delivered in time to be considered.
- 11.5** **Late Submittal(s).** The respondent remains responsible for ensuring that its submittal is received at the time, date, place, and office specified. The City assumes no responsibility for any submittal 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

12.0 **GENERAL TERMS**

12.1 **Respondent Performance Language**

- 12.1.1 Design Build Respondent should prioritize citizen satisfaction 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 Respondent is not interacting in a positive and politely manner with citizens, the Design Build Respondent shall take all remedial steps to conform to the standards set by this contract and subject to termination for breach of contract.

12.2 **INTERPRETING SPECIFICATIONS**

- 12.2.1 The specifications and product references are intended to be descriptive rather than restrictive. The City is soliciting Statements of Qualifications, a complete product and service package, which meets its overall requirements. Specific equipment and system 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.
- 12.1.1 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

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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.

12.3 CONTRACTOR DEBT

12.3.1 IF DESIGN BUILD RESPONDENT, AT ANY TIME DURING THE TERM OF THIS AGREEMENT, INCURS A DEBT, AS THE WORD IS DEFINED IN SECTION 15-122 OF THE HOUSTON CITY CODE OF ORDINANCES, IT SHALL IMMEDIATELY NOTIFY THE CITY CONTROLLER IN WRITING. IF THE CITY CONTROLLER BECOMES AWARE THAT DESIGN BUILD RESPONDENT HAS INCURRED A DEBT, HE SHALL IMMEDIATELY NOTIFY RESPONDENT IN WRITING. IF DESIGN BUILD RESPONDENT DOES NOT PAY THE DEBT WITHIN 30 DAYS OF EITHER SUCH NOTIFICATION, THE CITY CONTROLLER MAY DEDUCT FUNDS IN AN AMOUNT EQUAL TO THE DEBT FROM ANY PAYMENTS OWED TO DESIGN BUILD RESPONDENT UNDER THIS AGREEMENT, AND DESIGN BUILD RESPONDENT WAIVES ANY RECOURSE THEREFOR.

12.4 COMPETENCY OF RESPONDENT

12.4.1 The receipt and opening of a SOQ submittal shall not be construed as an acceptance of the Respondent as qualified and responsible. City reserves the right to determine the competency and responsibility of the Respondent from information submitted in the SOQ and verification of the Respondent's qualifications from other sources.

12.5 DISQUALIFICATION OF RESPONDENT

12.5.1 Although not intended to be an exhaustive list of causes for disqualification, one or more of the following causes, among others, may be considered sufficient for the disqualification of the Respondent and the rejection of its SOQ submittal.

- a) Evidence of collusion among Respondents
- b) Default on a previous project for failure to perform

13.0 SPECIAL CONDITIONS

13.1 Additional Instructions, Notifications and Information

13.1.1 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.

13.1.2 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.

13.1.3 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

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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.

- 13.1.4 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.
- 13.1.5 This RFQ is not to be construed as a contract or a commitment of any kind, nor does it commit the City of Houston to pay for any cost incurred in the preparation of a submittal or of any costs incurred prior to the execution of a final contract.
- 13.1.6 In the event that a mutually agreeable contract cannot be negotiated between the Design Build Respondent and the City, then the City reserves the right to select an alternate Design Build Respondent.
- 13.1.7 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
- 13.1.8 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 successful firm.
- 13.1.9 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
 - 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.
- 13.1.10** The successful firm will have to complete an Affidavit of Ownership or Control prior to completion of contract negotiations. The affidavit certifies that the firm is not delinquent in any debt owed to the City of Houston (taxes, fines, fees, etc.).

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13.2 No Contact Period

13.2.1 Neither bidder(s) nor any person acting on bidder(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 bidder'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 bidder(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 bidder. However, nothing in this paragraph shall prevent a bidder 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.

13.2.2 Guidance - Interested parties shall 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:

13.2.2.1 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.

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

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

13.3 Security and Badges (As Applicable to this Project)

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

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

13.3.3 The Respondent shall obtain HAS security badges for its personnel performing services on-site, including its subcontractors' personnel, as required by HAS. On-site personnel within the AOA or in secure areas of the Airport 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 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,

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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.

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

13.4 DBE and Local Business Participation Plan

13.4.1 The DBE goal is 27%.

13.4.2 The DBE Participation Plan is based on the total design and construction portion of this project.

13.4.3 DBE Participation Plan (Exhibit M, Attachment A) are due at the time of statement of qualifications submission. The Letter of Intent (Exhibit M - Attachment B) and Certified DBE Subcontract Terms (Exhibit M – Attachment C) are to be submitted only by the successful firm.

13.4.4 Failure by Respondent to comply with the Good Faith Efforts policy will be considered non-compliance with the DBE 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.

13.4.5 "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>.

13.5

Protest

13.5.1 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>

13.6

Certificate of Interested Parties

13.6.1 In accordance with Texas Gov't Code §2252.908, the successful Respondent must complete Form 1295, Certificate of Interested Parties.

13.6.2 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

**TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
AIRPORT RFQ NO.: HJA-TWYefd-2022-011**

13.6.3 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 Respondent's completed Form 1295 within seven business days of receipt.

13.6.4 For your reference, Form 1295 is attached as part of this document.

13.7 COMPLIANCE WITH CERTAIN STATE LAW REQUIREMENTS

13.7.1 Anti-Boycott of Israel.

Contractor certifies that Contractor is not currently engaged in and agrees for the duration of this agreement not to engage in the boycott of Israel as defined by Section 808.001 of the Texas Government Code.

13.7.2 Anti-Boycott of Energy Companies.

Contractor certifies that Contractor is not currently engaged in and agrees for the duration of this agreement not to engage in the boycott of energy companies as defined by Section 809.001 of the Texas Government Code.

13.7.3 Anti-Boycott of Firearm Entities of Firearm Trade Associations.

Contractor certifies that Contractor does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association or will not discriminate against a firearm entity or firearm trade association for the duration of this agreement, as defined by Section 2274.001 of the Texas Government Code.

13.7.4 Certification of No Business with Foreign Terrorist Organizations.

For purposes of Section 2252.152 of the Code, Respondent certifies that, at the time of this agreement neither Contractor nor any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of Contractor, is a company listed by the Texas Comptroller of Public Accounts under Sections 2252-153 or 2270-0201 of the Code as a company known to have contracts with or provide supplies or to a foreign terrorist organization.

13.7.5 Executive Order 1-56 Zero Tolerance for Human Trafficking in City Service Contracts and Purchasing.

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 respondent or its subcontractors providing services or good to the City. The Executive Order is available on the City's website: <http://www.houstontx.gov/execorders/1-56.pdf>.

13.7.6 SB 943 – Public Information and Disclosure of Certain Contracting Information.

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

**TAXIWAY L AND RUNWAY4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
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PART VI – INSTRUCTIONS TO RESPONDENTS

14.0 PRE-SUBMITTAL CONFERENCE

14.1 A Pre-Submittal Conference will be held at the date, time, and location as indicated on the first page of this 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.

14.2 Additional Information and Specification Changes

14.2.1 Requests for additional information and questions should be addressed to the Houston Airport System, Supply Chain Management Senior Procurement Specialist, Jorge Ardines, 281-233-1620 or email (preferred method) to jorge.ardines@houstontx.gov no later than the date and time as indicated on the first page of this RFQ document. 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.

14.3 Letter(s) of Clarification(LOC) [Addendum]

14.3.1 All Letters of Clarification (LOC) 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 Submittal responses.

14.3.2 The City does not assume responsibility for the receipt of any Letter of Clarification (LOC) sent to Respondent(s).

14.4 Examination of Documents and Requirements

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

14.4.2 Before submitting a Submittal, 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.

14.5 Exceptions to Terms and Conditions

14.5.1 All exceptions included with the Submittal shall be submitted in a clearly identified separate section of the Submittal in which the Respondent clearly cites the specific paragraphs within

**TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
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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 Chief Procurement Officer, 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.

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

14.5.3 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 Q). 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 interview, which due date will be on or before the date and time of the respondent's interview.

14.6 Post-Submittal Discussions with Respondent(s)

14.6.1 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-Submittal discussions with any Respondent(s).

(Intentionally left blank)

**TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
AIRPORT RFQ NO.: HJA-TWYefd-2022-011**

15.0 ATTACHMENTS

Attachment A – Scope of Services

Attachment B – Basis for Design

Attachment C – Sample Contract

Attachment D – Prohibited Firms

16.0 FORMS TO BE SUBMITTED WITH STATEMENT OF QUALIFICATIONS

Exhibit A – Offer and Submittal

Exhibit B – Bidder's Statement of MBE/WBE/PDBE/DBE/SBE Status (00450)

Exhibit C – Consolidated Ownership Information Forms (00455, previously Forms 00452, 00453 and 00455)

Exhibit D – Drug Detection and Deterrence Procedures (00601)

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 Qualifications/RFQ Addendum Acknowledgment (LOC)

Exhibit I – Surety Letter of Intent

Exhibit J – SOQ Required Submittal Checklist

Exhibit K – Respondent Contact Directory

Exhibit L – Reference Verification Form

Exhibit M – Schedule of DBE Participation (Attachment A)

Exhibit N – Minimum Required Experience

17.0 FORMS TO BE SUBMITTED WITH PRICE & TECHNICAL PROPOSAL

Exhibit O – RFP Cost Proposal Form

Exhibit P – Technical Proposal Form/ RFP Addendum Acknowledgement (LOC)

Exhibit Q – Contract Exception Chart

Exhibit R -- Davis-Bacon Wage Rate

18.0 DOCUMENTS TO BE SUBMITTED BY SUCCESSFUL FIRM

00501 Resolution of Corporation

00600 List of Proposed Subs and Suppliers

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

Exhibit M (Attachments B – Letter of Intent; Attachment C – Certified DBE Subcontract Terms)

Form 1295 – Certificate of Interested Parties

**TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
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ATTACHMENT A
SCOPE OF SERVICES**

Scope of Services

[Attached Separately]

**TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
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ATTACHMENT B**

Basis For Design
[Attached Separately]

**TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
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ATTACHMENT C
SAMPLE CONTRACT**

**SAMPLE CONTRACT
[Attached Separately]**

**TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
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ATTACHMENT D
PROHIBITED FIRM(S)**

LIST OF PROHIBITED FIRMS:

- 1. HNTB**
- 2. Gunda Corporation**
- 3. Atkins**

**EXHIBIT A – OFFER AND SUBMITTAL
TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
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NOTE: SUBMITTAL/PROPOSAL MUST BE SIGNED AND NOTARIZED BY AN AUTHORIZED REPRESENTATIVE(S) OF THE RESPONDENT, 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
TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
AIRPORT RFQ NO.: HJA-TWYefd-2022-011**

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

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

1.1 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 (MWBE) 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 Affirmative Action and Contract Compliance Division.
2. Bidder (individual, partnership, corporation) is [] is not [] a Women-owned Business Enterprise as certified by the Affirmative Action and Contract Compliance Division.
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 – OWNERSHIP INFORMATION FORMS
TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
AIRPORT RFQ NO.: HJA-TWYefd-2022-011**

the required information has been shown for each officer, *i.e.*, president, vice-president, secretary, treasurer, etc. **[NOTE: 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 **[OPTIONAL]** _____

Residence Address **[NO./STREET]** _____

[CITY/STATE/ZIP CODE] _____

Telephone Number (____) _____

Email Address **[OPTIONAL]** _____

10% Owner(s) or More (IF NONE, STATE "NONE.")

Name: _____

Business Address **[NO./STREET]** _____

[CITY/STATE/ZIP CODE] _____

Telephone Number (____) _____

Email Address **[OPTIONAL]** _____

Residence Address **[NO./STREET]** _____

[CITY/STATE/ZIP CODE] _____

Telephone Number (____) _____

Email Address **[OPTIONAL]** _____

**EXHIBIT C – OWNERSHIP INFORMATION FORMS
TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
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7. Optional Information

Contracting Entity and/or _____ [NAME OF OWNER OR NON-PROFIT OFFICER] is actively protesting, challenging or appealing the accuracy and/or amount of taxes levied against _____ [CONTRACTING ENTITY, OWNER OR NON-PROFIT OFFICER] as follows:

Name of Debtor: _____

Tax Account Nos. _____

Case or File Nos. _____

Attorney/Agent Name _____

Attorney/Agent Phone No. (____) _____

Tax Years _____

Status of Appeal [DESCRIBE] _____

Affiant certifies that he or she is duly authorized to submit the above information on behalf of the Contracting Entity, that Affiant is associated with the Contracting Entity in the capacity noted above and has personal knowledge of the accuracy of the information provided herein, and that the information provided herein is true and correct to the best of Affiant's knowledge and belief.

Affiant

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 20_____.

(Seal)

Notary Public

NOTE:

This affidavit constitutes a **government record** as defined by Section 37.01 of the Texas Penal Code. Submission of a false government record is punishable as provided in Section 37.10 of the Texas Penal Code. Attach additional pages if needed to supply the required names and addresses.

**EXHIBIT D – DRUG DETECTION AND DETERRENCE PROCEDURES
TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
AIRPORT RFQ NO.: HJA-TWYefd-2022-011**

- (a) It is the policy of the City to achieve a drug-free workforce and to provide a workplace that is free from the use of illegal drugs and alcohol. It is also the policy of the City that the manufacture, distribution, dispensation, possession, sale or use of illegal drugs or alcohol by contractors while on City premises is prohibited. By executing this Contract, Contractor represents and certifies that it meets and shall comply with all the requirements and procedures set forth in the Mayor's Policy on Drug Detection and Deterrence, City Council Motion No. 92-1971 ("Mayor's Policy") and the Mayor's Drug Detection and Deterrence Procedures for Contractors, Executive Order No. 1-31 ("Executive Order"), both of which are on file in the Office of the City Secretary.

- (b) Confirming its compliance with the Mayor's Policy and Executive Order, Contractor, as a condition precedent to City's obligations under this Contract, will have filed with the Contract Compliance Officer for Drug Testing ("CCODT"), prior to execution of this Contract by the City, (i) a copy of its drug-free workplace policy, (ii) the Drug Policy Compliance Agreement substantially in the format set forth in Attachment "A" to the Executive Order, together with a written designation of all safety impact positions, and (iii) if applicable (e.g. no safety impact positions), the Certification of No Safety Impact Positions, substantially in the format set forth in Attachment "C" to the Executive Order. If Contractor files written designation of safety impact positions with its Drug Policy Compliance Agreement, it also shall file every six (6) months during the performance of this Contract or upon the completion of this Contract if performance is less than six (6) months, a Drug Policy Compliance Declaration in a form substantially similar to Attachment "B" to the Executive Order. The Drug Policy Compliance Declaration shall be submitted to the CCODT within thirty days of completion of this Contract. The first six (6) month period shall begin to run on the date City issues its notice to proceed hereunder or if no notice to proceed is issued on the first day Contractor begins work under this Contract.

- (c) Contractor shall have the continuing obligation to file with the CCODT written designations of safety impact positions and Drug Policy Compliance Declarations at anytime during the performance of this Contract that safety impact positions are added if initially no safety impact positions were designated. Contractor also shall have the continuing obligation to file updated designations of safety impact positions with the CCODT when additional safety impact positions are added to Contractor's employee work force.

- (d) The failure of Contractor to comply with the above Sections shall be a breach of this Contract entitling City to terminate in accordance with Article IV.

**EXHIBIT D – DRUG DETECTION AND DETERRENCE PROCEDURES
TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
AIRPORT RFQ NO.: HJA-TWYefd-2022-011**

ATTACHMENT A - DRUG POLICY COMPLIANCE AGREEMENT

I, _____, _____,
Name Title

of _____
Contractor

have authority to bind Contractor with respect to its Bid, Proposal, or performance of any and all contracts it may enter into with the City of Houston; and that by making this Agreement, I affirm that Contractor is aware of and by the time the Contract is awarded will be bound by and agree to designate appropriate safety impact positions for company employee positions, and to comply with the following requirements before the City issues a Notice to Proceed:

1. Develop and implement a written Drug Free Workplace Policy and related drug testing procedures for Contractor that meet the criteria and requirements established by the Mayor's Amended Policy on Drug Detection and Deterrence (Mayor's Drug Policy) and the Mayor's Drug Detection and Deterrence Procedures for Contractors (Executive Order No. 1- 31).
2. Obtain a facility to collect urine samples consistent with Health and Human Services (HHS) guidelines and an HHS-certified drug-testing laboratory to perform drug tests.
3. Monitor and keep records of drug tests given and results; and upon request from the City of Houston, provide confirmation of such testing and results.
4. Submit semi-annual Drug Policy Compliance Declarations.

I affirm on behalf of Contractor that full compliance with the Mayor's Drug Policy and Executive Order No. 1-31 is a material condition of the Contract with the City of Houston,

I further acknowledge that falsification, failure to comply with or failure to timely submit declarations or documentation in compliance with the Mayor's Drug Policy or Executive Order No. 1-31 will be considered a breach of the Contract with the City and may result in non-award or termination of the Contract by the City.

Contractor

Title

Signature

Date

**EXHIBIT D – DRUG DETECTION AND DETERRENCE PROCEDURES
TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
AIRPORT RFQ NO.: HJA-TWYefd-2022-011**

ATTACHMENT B – DRUG POLICY COMPLIANCE DECLARATION

I, _____ as an owner or officer of
(Name) (Print/Type) (Title)
_____(Contractor)

(Name of Company)

Have personal knowledge and full authority to make the following declarations:

This reporting period covers the preceding six months from _____ to _____,
19____.

_____A written Drug Free Workplace Policy has been implemented and employees notified. The policy Initials meets the criteria established by the Mayor's Amended Policy on Drug Detection and Deterrence (Mayor's Policy).

_____Written drug testing procedures have been implemented in conformity with the Mayor's Drug Initials Detection and Deterrence Procedures for Contractors, Executive Order 1-31. Employees have been notified of such procedures.

_____Collection/testing has been conducted in compliance with federal Health and Human Services Initials (HHS) guidelines.

_____Appropriate safety impact positions have been designated for employee positions performing on Initials the City of Houston contract. The number of employees on safety impact positions during this reporting period is _____.

_____From _____ to _____ the following testing has occurred:
Initials (start date) (end date)

	Reasonable Post Suspicion	Accident	Random	Total
Number of Employees Tested	_____	_____	_____	_____
Number of Employees Positive	_____	_____	_____	_____
Percent Employees Positive	_____	_____	_____	_____

_____ Any employee who tested positive was immediately removed from the City worksite consistent Initials with the Mayor's Policy and Executive Order No. 1-31.

_____ I affirm that falsification or failure to submit this declaration timely in accordance with Initials established guidelines will be considered a breach of contract.

I declare under penalty of perjury that the affirmations made herein and all information contained in this declaration are within my personal knowledge and are true and correct.

Date

Contractor Name

Signature

Title

**EXHIBIT D – DRUG DETECTION AND DETERRENCE PROCEDURES
TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
AIRPORT RFQ NO.: HJA-TWYefd-2022-011**

ATTACHMENT “C”

I, _____
(Name) (Print/Type) (Title)

as an owner or officer of _____ (Contractor) have authority to bind the Contractor with respect to its bid, and I hereby certify that Contractor has no employee safety impact positions as defined in §5.18 of Executive Order No. 1-31 that will be involved in performing this City Contract. Contractor agrees and covenants that it shall immediately notify the City's Director of Personnel if any safety impact positions are established to provide services in performing this City Contract.

Date Contractor Name

Signature

Title

CONTRACTOR'S CERTIFICATION OF NON-APPLICATION OF
CITY OF HOUSTON DRUG DETECTION AND DETERRENCE PROCEDURES
FOR CONTRACTORS

ATTACHMENT “D”

I _____ as an owner or officer of
(NAME) (PRINT/TYPE)

(Contractor) have authority to bind the Contractor with respect to its bid, and I hereby certify that Contractor has fewer than fifteen (15) employees during any 20-week period during a calendar year and also certify that Contractor has no employee safety impact positions as defined in 5.18 of Executive Order No. 1-31 that will be involved in performing this City Contract. Safety impact position means a Contractor's employment position involving job duties that if performed with inattentiveness, errors in judgment, or diminished coordination, dexterity, or composure may result in mistakes that could present a real and/or imminent threat to the personal health or safety of the employee, co-workers, and/or the public.

DATE

CONTRACTOR'S NAME

SIGNATURE

TITLE



**EXHIBIT E – PAY OR PLAY ACKNOWLEDGEMENT
FORM TAXIWAY L AND RUNWAY 4-22 SHOULDERS
CONSTRUCTION AT ELLINGTON AIRPORT
RFQ NO.: HJA-TWYefd-2022-011**



Pay or Play Program Operating Procedures

Background

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) 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 costs associated with providing health care for the uninsured citizens of Houston and Harris County area.

Administration:

- Vendors are required to begin complying with POP within 30 days of contract award by utilizing the designated system, *B2G Workforce Module*, at <https://houston.mwdbe.com> to complete/review POP activities.
- Vendors are required to utilize *JP Morgan Chase Pay Connexion (Pay Connexion)* portal that will accept POP payments electronically. B2G Workforce Module will provide a direct link to *Pay Connexion* where contractors may submit payment via Debit Card, Credit Card, Automated Clearing House (ACH) and/or Electronic Checks (e-checks). Contractors will be charged a convenience fee per transaction.
- Vendors who onboard new employees are allowed a 60-day waiting period upon each new employee's start date to begin participating in POP. After the 60-day period has lapsed, Vendor must include the employee in POP reporting.
- The Office of Business Opportunity (OBO) has citywide administrative oversight of the program, including audit responsibilities. Vendor's compliance with POP requirements will be directly managed by the City Department with whom Vendor has contracted (Contracting Department). Questions about POP should be referred to the Contracting Department's POP Liaison. A contact list for POP Liaisons is available at <http://www.houstontx.gov/obo/popforms.html> or by contacting the OBO POP Administrator at 832-393-0633 or Brianne.Maxwell@houstontx.gov.



**EXHIBIT E – PAY OR PLAY ACKNOWLEDGEMENT FORM
TAXIWAY L AND RUNWAY 4-22 SHOULDERS
CONSTRUCTION AT ELLINGTON AIRPORT
RFQ NO.: HJA-TWYefd-2022-011**



Pre-bid/Pre-Proposal Forms:

- Vendors must complete and return the following forms before contract award by the Contracting Department:
 - *Acknowledgment Form (POP-1)*
 - *Certification of Compliance (POP-2)*
 - *Participating Subcontractors Form (POP-3)*

Prime/Subcontractor Waiver Request (Form POP-4):

- Completed by Contracting Department prior to City Council approval contract award, for contract(s) that may meet exemption criteria as stated in EO 1-7. Form POP-4 must be signed by Contracting Department and forwarded, along with supporting documentation, to OBO POP Administrator for final decision.
- A new Form POP-4 is not needed for contract amendments and/or extensions, as the POP requirements in the original contract continues to apply.
- Contractors that utilize self-employed, owner/operator individuals to complete services (e.g., Truck Drivers, Day Laborers, 10-99, etc.) are POP exempt.
- Vendors should not submit a Form POP-4 for contracts enumerated in section 4.2 of EO 1-7, as those contracts are not covered under POP.

Pay Option Reporting (Workforce Audit):

- Vendors will create a *Workforce Employee List* showcasing all active employees working on the City of Houston project. Vendors will complete a weekly workforce audit by the end of each month. Vendors must provide the Total Hours Worked and individual Hours Worked by each covered employee as part of the weekly workforce audit.
 - Total Hours Worked = Total Number of Hours Employee worked for Employer.
 - Hours Worked = Total Number of Hours Employee worked on COH project.

Invoice Submission:

- Invoices are created from monthly *Workforce Audits* reports. Payments are due to the contracting department 30 business days after receipt of invoice. Payments



**EXHIBIT E – PAY OR PLAY ACKNOWLEDGEMENT FORM
TAXIWAY L AND RUNWAY 4-22 SHOULDERS
CONSTRUCTION AT ELLINGTON AIRPORT
RFQ NO.: HJA-TWYefd-2022-011**



may be made through the *Pay Connexion*. Prime Vendor is responsible to the City for compliance of covered employees of covered subcontractors.

- Vendors will “Pay” by contributing \$1.00 per covered employee per regular hour for work performed under the contract with the City, not to exceed \$40.00 per employee.
 - POP will not accept partial payments; invoices must be paid in full.

Play Option Reporting (Workforce Audit):

- Vendors will create a *Workforce Employee List* showcasing all active employees working on the City of Houston project.
- Vendors will complete a quarterly workforce audits by month end of October, January, April, and July by providing proof of insurance for all active and covered employees for previous three (3) months.
- Vendors will “Play” by providing health benefits to covered employees. Health benefits must meet or exceed the following standards:
 - The employer will contribute no less than 75% of the monthly premium toward the total premium cost covered employee per month.
 - The employee contribution, if any amount, will be no greater than 25% of the monthly premium cost.

Note: Proof of coverage (in the form of the most current Company Insurance invoice or individual employee insurance card) for POP covered employees that work on the City Project.

Employee Waiver Request (Form POP-8):

- Vendor may request employee POP program waiver by submitting a request on the City of Houston Pay or Play (POP) *Employee Waiver Request* (Form POP-8); if a covered employee has refused health coverage through their employer or if a covered employee has acquired health coverage on their own.
 - Vendor will attach approved Form POP-8 to respective employees’ workforce profile in the designated system.



**EXHIBIT E – PAY OR PLAY ACKNOWLEDGEMENT
FORM TAXIWAY L AND RUNWAY 4-22 SHOULDERS
CONSTRUCTION AT ELLINGTON AIRPORT
RFQ NO.: HJA-TWYEFD-2022-011**



Self-Insured Contractor Request (Form POP-9):

- Vendor may request for Self-Insured Status if the employer is using their own money to cover their employees' claims.
- Vendors awarded Self-Insured Status will be PLAY participants and required to report once a year.

**EXHIBIT F – ANTI-COLLUSION STATEMENT
TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
AIRPORT RFQ NO.: HJA-TWYefd-2022-011**

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
TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
AIRPORT RFQ NO.: HJA-TWYefd-2022-011**

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>. 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 (Pat J. Daniel, 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
TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
AIRPORT RFQ NO.: HJA-TWYefd-2022-011**

<p>CONFLICT OF INTEREST QUESTIONNAIRE</p> <p>For vendor or other person doing business with local governmental entity</p>	<p>FORM CIQ</p>
<p>This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.</p> <p>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).</p> <p>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.</p> <p>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.</p>	<p>OFFICE USE ONLY</p> <hr/> <p>Date Received</p>
<p>1 Name of person who has a business relationship with local governmental entity.</p>	
<p>2 <input type="checkbox"/> Check this box if you are filing an update to a previously filed questionnaire.</p> <p>(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.)</p>	
<p>3 Name of local government officer with whom filer has employment or business relationship.</p> <p align="center">_____</p> <p align="center">Name of Officer</p> <p>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.</p> <p>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?</p> <p align="center"><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>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?</p> <p align="center"><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>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?</p> <p align="center"><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>D. Describe each employment or business relationship with the local government officer named in this section.</p>	
<p>4</p> <p align="center">_____</p> <p align="center">Signature of person doing business with the governmental entity</p> <p align="center">_____</p> <p align="center">Date</p>	

Adopted 06/29/2007

**EXHIBIT H - RFQ STATEMENT OF QUALIFICATIONS/RFQ ADDENDUM ACKNOWLEDGEMENT
(LOC) TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
AIRPORT RFQ NO.: HJA-TWYefd-2022-011**

**RFQ Statement of Qualifications/ RFQ ADDENDUM ACKNOWLEDGEMENT (LOC)
(TO BE INCLUDED IN ENVELOPE #2)**

[Respondent's Letterhead]

City of Houston
Houston Airport System – Addendum Acknowledgment (LOC)

Respondent: _____

Date: _____

Buyer
Title
Supply Chain Management
18600 Lee Road
Humble, TX 77338

In response to the Request for Qualifications (RFQ) for the Design-Build of the Project dated _____, 2017, 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 HAS 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 addenda to the response documents:

Addenda Number: Dated: / /
Addenda Number: Dated: / /
Addenda 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 Response]

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

Phone Number:
E-mail Address:
By: Respondent's Business Address

**EXHIBIT I – SURETY LETTER OF INTENT
TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
AIRPORT RFQ NO.: HJA-TWYefd-2022-011**

**[SURETY LETTERHEAD]
[Respondent's Letterhead]**

City of Houston
Houston Airport System – SURETY LETTER OF INTENT

RESPONDENT: _____ DATE: _____

Buyer
Title
Supply Chain Management
18600 Lee Road
Humble, TX 77338

SURETY LETTER OF INTENT

**Re: REQUEST FOR QUALIFICATIONS TAXIWAY L AND RUNWAY 4-22 SHOULDERS
CONSTRUCTION AT ELLINGTON AIRPORT (EFD)**

Dear Madam:

Surety understands that Contract will be for a Not-To-Exceed amount of \$125,000,000.00 with a Guaranteed Maximum Price to be established at the completion of Design Development documents. The Performance Bond and Payment Bond will be awarded for One Hundred Percent (100%) of the Contract 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
TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
AIRPORT RFQ NO.: HJA-TWYEFD-2022-011**

Item #	SOQ Required Submittal Checklist	Check (√)
1.	Table of Contents	
2.	Introduction Letter	
3.	Executive Summary	
4.	Letter of Transmittal	
5.	Project Approach	
6.	Firm(s) Qualifications	
7.	Team Qualifications and Management Plan	
8.	Design and Pre-Construction/ Construction Phase	
9.	Project Controls	
10.	Financial Capabilities	
11.	Experience Modification Rate	
12.	OSHA Records	
13.	EXHIBIT A – Offer and Submittal	
14.	EXHIBIT B – Bidder's Statement of MBE/WBE/PDBE/DBE/SBE Status	
15.	EXHIBIT C – Consolidated Ownership Information Forms	
16.	EXHIBIT D – Drug Detection and Deterrence Procedures	
17.	EXHIBIT E – Pay or Play Acknowledgement Form	
18.	EXHIBIT F – Anti-Collusion Statement	
19.	EXHIBIT G – Conflict of Interest Questionnaire	
20.	EXHIBIT H – RFQ Statement of qualifications/RFQ Addendum Acknowledgement (LOC)	
21.	EXHIBIT I – Surety Letter of Intent	
22.	EXHIBIT J – Required Submittal Checklist	
23.	EXHIBIT K – Respondent Contact Directory Form	
24.	EXHIBIT L – Reference Verification Form	
25.	EXHIBIT M – Schedule of DBE Participation	
26.	EXHIBIT N – Minimum Required Experience	

**EXHIBIT K – RESPONDENT CONTACT DIRECTORY
TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
AIRPORT RFQ NO.: HJA-TWYefd-2022-011**

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
TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
AIRPORT RFQ NO.: HJA-TWYefd-2022-011**

REFERENCES

- 1.1 Contractor 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. Contractor 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 submittal 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: _____ Email: _____
Address: _____
Address: _____
Contract Award Date: _____ Contract Completion Date: _____
Contract Name/Title: _____
Project Description: _____

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

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

EXHIBIT M – ATTACHMENT “A”: SCHEDULE OF DBE PARTICIPATION

**TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
AIRPORT RFQ NO.: HJA-TWYefd-2022-011**

DATE OF REPORT: _____

SOLICITATION NO.: _____

FORMAL RFQ TITLE: _____

NAME OF DBE SUBCONTRACTOR	OFFICE OF BUSINESS OPPORTUNITY CERTIFICATION NO.	STREET ADDRESS AND CITY, STATE, ZIP CODE	TELEPHONE NO.	SCOPE OF WORK	AGREE PRICE
TOTAL					\$ _____
DBE PARTICIPATION AMOUNT					\$ _____ %
TOTAL BID AMOUNT					\$ _____

EXHIBIT M – ATTACHMENT “A” (CONTINUED): SCHEDULE OF DBE PARTICIPATION

**TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
AIRPORT RFQ NO.: HJA-TWYefd-2022-011**

IF YOU HAVE USED YOUR BEST EFFORTS TO CARRY OUT THE CITY'S M/WBE POLICY BY SEEKING SUBCONTRACTS AND SUPPLY AGREEMENTS WITH DISADVANTAGE BUSINESS ENTERPRISES, YET FAILED TO MEET THE STATED PERCENTAGE GOAL OF THIS BID DOCUMENT, LIST BELOW YOUR GOOD FAITH EFFORTS FOR COMPLIANCE (DEFINITION OF REQUIREMENTS CAN BE OBTAINED THROUGH THE OFFICE OF BUSINESS OPPORTUNITY AT (713)837-9000).

THE UNDERSIGNED WILL ENTER INTO A FORMAL AGREEMENT WITH THE DISADVANTAGE BUSINESS ENTERPRISE AND SUBCONTRACTORS AND SUPPLIERS LISTED IN THIS SCHEDULE CONDITIONED UPON AWARD OF A CONTRACT FROM THE CITY.

NOTE:
ALL FIRMS LISTED ABOVE MUST BE CERTIFIED (OR ELIGIBLE FOR CERTIFICATION) BY THE OFFICE OF BUSINESS OPPORTUNITY. THIS SCHEDULE OF M/WBE PARTICIPATION SHOULD BE RETURNED, IN DUPLICATE, WITH THE BID FORM.

BIDDER COMPANY NAME

SIGNATURE OF AUTHORIZED OFFICER OR AGENT OF BIDDER

NAME (TYPE OR PRINT)

TITLE

**EXHIBIT N – MINIMUM REQUIRED EXPERIENCE
TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
AIRPORT RFQ NO.: HJA-TWYefd-2022-011**

MINIMUM REQUIRED EXPERIENCE

Verify all contacts prior to submittal. Do not leave any spaces blank. Responses such as “N/A” are not acceptable. If not applicable, state “Not Applicable” and explain why. If none, state “NONE.”

PROJECT AND TEAM INFORMATION	
Project Name:	
Project Location:	
Project Delivery Method (CMAR, Design-Build, etc.):	
OWNER INFORMATION	
Owner’s Name:	
Address:	
Contact (Name & Title):	
Telephone:	
Email:	

CONTRACT INFORMATION (TIME & COST)	
Project Start Date:	
Scheduled Completion Date:	
Actual Completion Date:	
Days Extended Due to Unexcused Delays:	
Base Contract Amount:	\$
Adjustment Due to Owner Requested Changes:	\$
Adjustment Due to Other Change Orders:	\$
Final (or Current if Incomplete) Change Amount:	\$

**EXHIBIT N – MINIMUM REQUIRED EXPERIENCE
TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
AIRPORT RFQ NO.: HJA-TWYefd-2022-011**

GENERAL PROJECT DETAILS	
Was the Project for a Public Owner? (Yes or No):	
Were major sub-contractors contracted before Design completion? (Yes or No):	

COMPARABLE PROJECT COMPONENTS (AIRPORT AND NON-AIRPORT): Did the project include the following (YES/ NO)	
A final price that was the less than or the same as the bid amount	
Underground (live and operational) utility relocation	
Work around and / or connecting to existing operational / occupied space	
Energy Savings (Life Cycle Cost Analysis)	

**EXHIBIT O – RFP COST PROPOSAL FORM
TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
AIRPORT RFQ NO.: HJA-TWYefd-2022-011**

Phase 1 – Pre-Engineering/Design/Preconstruction/Enabling Work Price:

Lump Sum – Phase 1 Services \$ _____

**Phase 2 – Construction of Portions of the Taxiway for Runway 4-22 Access to Spaceport Tenants
Price (Phase 1 Construction):**

Lump Sum – Phase 1 Services \$ _____

Phase 3 – Construction for Remaining Portion of Taxiway L (Phase 2 Construction) Price:

Lump Sum – Phase 3 Services \$ _____

**Phase 4 – Remaining Construction Work and Connection to Runway 17-35 (Phase 3 Construction)
Price:**

Lump Sum – Phase 4 Services \$ _____

MAXIMUM CONTRACT PRICE \$ _____

**EXHIBIT P – TECHNICAL PROPOSAL FORM / RFP ADDENDUM ACKNOWLEDGMENT(LOC)
TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON**

AIRPORT RFQ NO.: HJA-TWYefd-2022-011

**TECHNICAL PROPOSAL FORM / RFP ADDENDUM ACKNOWLEDGMENT (LOC)
[Respondent's Letterhead]**

City of Houston

Houston Airport System – Technical Proposal Form / RFP Addendum Acknowledgment (LOC)

RESPONDENT: _____ Date: _____

Buyer

Title

SUPPLY Chain Management

18600 Lee Road

Humble, TX 77338

In Response to the Request for Proposals (RFP) for the Contract Scope of Services for the Project dated _____, 2017, the undersigned hereby declares that I have carefully read and examined the proposal documents and hereby propose to perform and complete the work as required in Contract Documents. Attached hereto is the completed and signed TECHNICAL PROPOSAL and COST PROPOSAL for this RFP.

The undersigned agrees that this COST PROPOSAL constitutes a valid offer to perform and complete the Contract described above, which cannot be withdrawn for one hundred eighty (180) consecutive calendar days from the due date of this COST PROPOSAL.

The undersigned agrees to provide HAS with a signed copy of the conformed Contract within 5 days of being informed by HAS of the Recommendation For Award of the Contract and provided with a hard copy of the conformed Contract either by mail or e-mail.

The undersigned agrees to appear at 18600 Lee Road, Humble, TX 77338 at any time within ten (10) consecutive calendar days from the date of written notice of the Phase 1 Preconstruction and Design Services award from HAS to do so, mailed or e-mailed to the business address of the Respondent and at that time the Respondent shall; 1) furnish the required Performance and Payment Bonds and 2) furnish the required insurance documents.

The undersigned Respondent acknowledges the right of HAS to waive informalities in the Proposals, to reject any or all Proposals submitted, and to re-advertise for Proposals.

The undersigned acknowledges receipt and consideration of the following addenda (LOC) to the proposal documents:

Addenda (LOC) #s: _____

I, the undersigned, certify that I have examined and am fully familiar with the proposal documents and that I have satisfied myself with the resolution of any questions I had regarding the RFP which could have in any way affected my understanding of the RFP's Scope of Work or my Proposed Price thereof. I further certify and declare that the information stated in the COST PROPOSAL is true and correct.

I declare under penalty of perjury under the laws of the State of Texas, that the foregoing is correct.

(Signature)

(Type or Print Name)

(Title)

Phone Number:

E-mail Address:

By: Respondent's Business Address

**EXHIBIT Q – CONTRACT EXCEPTION CHART
TAXIWAY L AND RUNWAY 4-22 SHOULDERS CONSTRUCTION AT ELLINGTON
AIRPORT RFQ NO.: HJA-TWYefd-2022-011**

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 <u>monthly</u> invoices to the City for Products and Services in accordance with the requirements specified in this Section.	Respondent'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 <u>3</u> years unless sooner terminated under this Agreement ("Initial Term").	Respondent'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.

"General Decision Number: TX20210031 05/07/2021

Superseded General Decision Number: TX20200031

State: Texas

Construction Type: Heavy

County: Harris County in Texas.

HEAVY CONSTRUCTION PROJECTS Including Water and Sewer Lines (Does Not Include Flood Control).

Note: Under Executive Order (EO) 13658, an hourly minimum wage of \$10.95 for calendar year 2021 applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2015. If this contract is covered by the EO, the contractor must pay all workers in any classification listed on this wage determination at least \$10.95 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in calendar year 2021. If this contract is covered by the EO and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must pay workers in that classification at least the wage rate determined through the conformance process set forth in 29 CFR 5.5(a)(1)(ii) (or the EO minimum wage rate, if it is higher than the conformed wage rate). The EO minimum wage rate will be adjusted annually. Please note that this EO applies to the above-mentioned types of contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but it does not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(2)-(60). Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Modification Number	Publication Date
0	01/01/2021
1	03/12/2021
2	05/07/2021

* SFTX0669-001 04/01/2021

	Rates	Fringes
SPRINKLER FITTER (Fire Sprinklers).....	\$ 31.68	22.20

SUTX2005-019 08/16/2005

	Rates	Fringes
CARPENTER.....	\$ 14.04	0.00
CEMENT MASON/CONCRETE FINISHER...	\$ 12.50	1.17
ELECTRICIAN.....	\$ 17.00	0.04
Formbuilder/Formsetter.....	\$ 13.84	1.17
IRONWORKER, REINFORCING.....	\$ 11.28	0.00

Laborers:		
Common.....	\$ 8.94	0.00
Landscape.....	\$ 7.35	0.00
Mason Tender Cement.....	\$ 9.94	0.00
Pipelayer.....	\$ 10.14	0.00
PIPEFITTER.....	\$ 17.00	0.04
POWER EQUIPMENT OPERATOR:		
Backhoe.....	\$ 13.47	0.00
Bulldozer.....	\$ 12.58	0.00
Crane.....	\$ 15.33	0.57
Excavator.....	\$ 16.37	0.00
Front End Loader.....	\$ 12.16	0.00
Grader.....	\$ 12.20	1.48
Tractor.....	\$ 15.00	0.00
TRUCK DRIVER.....	\$ 12.02	1.02

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

=====
Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the cited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical order of ""identifiers"" that indicate whether the particular rate is a union rate (current union negotiated rate for local), a survey rate (weighted average rate) or a union average rate (weighted union average rate).

Union Rate Identifiers

A four letter classification abbreviation identifier enclosed

in dotted lines beginning with characters other than "SU" or "UAVG" denotes that the union classification and rate were prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of the union which prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. 07/01/2014 is the effective date of the most current negotiated rate, which in this example is July 1, 2014.

Union prevailing wage rates are updated to reflect all rate changes in the collective bargaining agreement (CBA) governing this classification and rate.

Survey Rate Identifiers

Classifications listed under the "SU" identifier indicate that no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination