

**Houston Community College System  
Procurement Operations**



**REQUEST FOR PROPOSALS (RFP)**  
**FOR**  
**CONSTRUCTION MANAGER-At-RISK SERVICES**  
**PROJECT NO. 06-24**

# REQUEST FOR PROPOSALS

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**HOUSTON COMMUNITY COLLEGE SYSTEM**

**REQUEST FOR PROPOSALS - SUMMARY**

**Date:** April 3, 2006  
**Project Title:** Construction Manager-At-Risk Services  
**Project No.:** 06-24

**ISSUED BY:**

Houston Community College System  
Procurement Operations  
3100 Main Street (11<sup>th</sup> Floor)  
Houston, Texas 77002

**SUBMIT INQUIRES TO:**

Name: John Carter  
Title: Director - Procurement  
Telephone: (713) 718-5029  
Fax: (713) 718-2113  
Email:john.carter@hccs.edu

**Project Overview:**

The Houston Community College System ("HCC") is seeking sealed proposals from firms qualified and interested in providing CM-At-Risk Services in support of the Northeast College, Northline Campus project. The proposed project is a new campus site that includes infrastructure.

**Project Descriptions/General Scope of Work:**

Project Title: NorthLine Campus

Project Site: Northeast College

General Scope of Work: The Northeast College Northline Campus will be a multi-disciplined site of approximately 120,000 GSF. The project, includes library space as well as student support services (recruitment, enrollment, financial aide, counseling and advising, disability support, testing, etc.) classrooms and multi-purpose rooms, food service, and student activities and recreation.

**Estimated Budget: \$38,000,000.00**

**Contract Approval:** This procurement is subject to approval by HCC Board of Trustees. Subsequent to Board approval, the only person authorized to commit HCC contractually is the Chancellor or his designee.

**Proposal Due Date/Time:** HCC will accept proposals to provide the required CM-At-Risk Services until **4:00 p.m.** (local time) on **May 4, 2006**. Proposals will be received in Procurement Operations, 3100 Main Street (11th Floor Vendor Room#11A06), Houston, Texas 77002.

HCC is an equal opportunity/educational institution, which does not discriminate on the basis of race, color, religion, national origin, gender, age or disability.

HCC reserves the right to reject any/all proposal submittals, negotiate changes in the scope of work or services to be provided, and to waive any technicalities or irregularities in any proposal submission documents. This solicitation does not in any way obligate HCC to select a particular CM-At-Risk firm for any of the projects listed in this solicitation.

This Request for Proposal does not obligate HCC to award a contract or to pay any costs incurred by a proposer in the preparation or submission of a proposal.

## **INSTRUCTIONS TO PROPOSERS**

### **1. Introduction**

HCC is seeking proposals under the negotiated method of procurement from qualified firms interested in providing CM-At-Risk Services in accordance with the Scope of Services contained in this solicitation as Attachment No. 3.

### **2. Proposal Submittal**

Proposer(s) shall submit one (1) original and ten (10) copies of the technical proposal to the address shown below by the date and time specified in this solicitation. In addition to the technical and price proposal, each proposer must complete and return the following documents:

- Attachment No. 1 Proposal/Award Form
- Attachment No. 4 Determination of Good Faith Effort
- Attachment No. 5 Small Business Unavailability Certificate
- Attachment No. 7 Contractor & First Tier Subcontractor/Supplier Participation Form
- Attachment No. 8 Non-Discrimination Statement
- Attachment No. 9 Certification & Disclosure Statement
- Attachment No. 10 Affidavit Form
- Attachment No. 11 Business Questionnaire
- Attachment No. 12 Assurance of SBDP Goal
- Attachment No. 15 Conflict of Interest Form

### **Note: Attachment#2 Fee Proposal (submit in separately sealed envelope)**

The envelope containing a proposal shall be addressed as follows:

- Name, Address and Telephone Number of Proposer;
- Project Description/Title;
- Project Number; and
- Proposal Due Date/Time.

All proposals shall be submitted to the following address:

Houston Community College System  
Procurement Operations  
3100 Main Street (11th Floor Vendor Room#11A06)  
Houston, Texas 77002  
Ref: Project No. 06-24  
Attn: John Carter

3. **Eligibility for Award:** In order for a proposer to be eligible to be awarded the contract, the proposal must be responsive to the solicitation and HCC must be able to determine that the proposer is responsible and has the resources and capacity to perform the resulting contract satisfactorily.

- Responsive proposals are those complying in all material aspects of the solicitation. Proposals, which do not comply with all the terms and, conditions of this solicitation shall be rejected as non-responsive.
- Responsible proposers as a minimum must:
  - Have adequate financial resources, or the ability to obtain such resources as required during the performance of the contract.
  - Be able to comply with the required performance schedule, taking into consideration all existing business commitments.

- Have a satisfactory record of past performance.
- Have necessary personnel and management capability to perform the contract.
- Be qualified as an established firm regularly engaged in the type of business necessary to fulfill the contract requirements.
- Certify that the firm is not delinquent in any tax owed the State of Texas under Chapter 171, Tax Code; signing and submitting the proposal is so certifying.
- Be otherwise qualified and eligible to receive an award under applicable laws and regulations.
- Have a satisfactory record of successfully completing fast-track projects.

*Note: A fast-track project is defined as completion of the project within a nineteen (19) month period of time.*

Proposer(s) may be requested to submit additional written evidence verifying that the firm meets the minimum criteria necessary to perform the requirements of the solicitation and be determined a responsible proposer. Failure to provide any requested additional information may result in the proposer being declared non-responsive, and the proposal being rejected.

#### 4. **Preparation of Proposal and Submission**

A. **Technical Proposal:** The technical proposal shall include, as a minimum, the following information:

- **Letter of Interest:** The letter shall not to exceed 2 pages in length, summarizing key points in the proposal. The technical proposal shall be in the form of a bound 8-1/2 inch by 11-inch report with a table of contents and all pages numbered in sequence. Binding must allow reports to lay flat when open and may be either wire or spiral bound. Format of the proposal documentation by be either "portrait" or "landscape" with binding on the left long or short side. The technical proposal should contain at least the following information in the following order:
  1. Cover sheet containing the project title and HCC assigned project number, and the name of the lead firm(s) submitting the proposal;
  2. Table of Contents;
  3. Letter of Interest (2 page maximum)
  4. Firm Profile: Complete AIA Document A305 by answering all appropriate questions that relate to your firm/team.
  5. Related College Project Experience. Indicate if firm was the prime or the subcontractor on project. Identify firm's role (i.e. construction cost, completion date, contact name);
  6. Project Images (limit to 5 examples);
  7. Proposed staff composition including resumes;
  8. Team composition and organizational chart;
  9. Audited Financial Statements (last 2 years);
  10. Letter(s) of Recommendation from college or other education clients listing recently completed projects;
  11. Small Business participation commitment statement;
  12. Firm's bonding capacity;
  13. Experience with multiple projects on the same site.
  14. Experience in successfully completing fast-track projects.
  15. Firm's commitment in providing HCC students with paid internship opportunities.

**B. Fee Proposal:** The fee proposal shall be clearly identified as such in the technical proposal documents and shall include the fee percentage for General Conditions (GC) and Overhead & Profit (O+P). The GC and O+P shall be submitted on the Attachment No. 2 Form entitled: Fee Proposal, in a separately sealed envelope only. Failure to submit the fee proposal in a separate envelope may render the firm's entire submittal package non-responsive. Note: Do not include any fee information in the technical proposal documents.

5. **SELECTION REQUIREMENTS AND PROCESS:**

An Evaluation Committee ("Committee") shall review all proposals to determine which proposers have qualified for consideration according to the criteria stated herein. The committee's evaluations shall be based on all available information, including qualification statements, subsequent interviews, if necessary, reports, discussions, reference checks, and other appropriate checks. The highest rated proposers evaluated by the Committee **may** be invited to make an oral presentation of their written proposal to the Committee and/or the HCC Board of Trustees.

The selection of the Construction Manager(s) at Risk firms shall be by the one (1) Step Method. Within 45 days after the opening of the proposals, the Selection Committee shall evaluate and rank each proposal submitted in relation to the criteria set forth in the Request for Proposal. The Selection Committee will recommend to the HCC Chancellor and Board of Trustees the top four (4) to seven (7) ranked firms for the final selection of the CM-At-Risk firm. HCC shall first attempt to negotiate a contract with the selected Proposer. If HCC is unable to negotiate a satisfactory contract with the selected Proposer, HCC shall formally and in writing, end negotiations with that Proposer and proceed to negotiate with the next offer in the order of the selection ranking until a contract is reached or negotiations with all ranked Proposers end.

Respondent must have experience in Construction Manager-At-Risk projects (or equivalent) that were comparable in size, scope, and complexity to the Scope of Services generally described in Attachment No. 3 of this solicitation.

Respondent must be financially responsible, as determined by the evaluation committee, and be able to and willing to indemnify HCC and secure insurance and bonds as required in the solicitation documents.

Respondent must have experience in successfully completing fast-track projects.

6. **Evaluation Criteria:** The respondent's qualification submissions shall be evaluated in the following areas: Please note: Fee proposals shall be evaluated, however they must be submitted separately and must not appear in the body of the technical proposal.

**A. Experience in performing CM-At-Risk Projects. Demonstrate:**

- Experience in construction of educational facilities (preferred but not necessary). Provide Project Name; Firm's role (prime or subcontractor); Date Completed; Construction Cost; Project Size (SF); and Client/Contact Name(s).
- Experience in performing Construction Manager At-Risk projects or equivalent work. Provide number of years of experience and number and title of completed projects.
- Firm's ability to hire and manage subcontractors.
- Personnel committed to this project, their role, and the percent of time to be assigned to this project.
- Firm's principal(s) and staff commitment to performance of Construction Manager-At-Risk Services for HCC.
- Firm's experience in successfully completing fast-track projects. Provide project name, date completed, project budget, project size (sq.ft), and client contact.

**B. Project understanding. Demonstrate:**

- Knowledge and experience of project/program requirements.
- Firm's construction philosophy and methodology.
- Process for integrating institutional standards into construction.
- The methods used and how the firm maintains quality control.
- Techniques or procedures used on previous projects.
- Process via proposed timeline, with milestones with occupation date of 12/1/08.

**C. Past Performance. Demonstrate:**

- Past performance on educational facilities/projects as prime contractor.
- Past performance on meeting schedules and/or timelines.
- Past performance in Construction Manager-At-Risk in similar programs.
- Past performances in managing subcontractors.
- Past performance in effectively responding to problems on project assignments.
- Past performance as prime contractor in other type of construction project(s).
- Past performance on successfully completing fast-track project(s).

**D. Firm's Financial Status and Bonding. Demonstrate:**

- Sound financial status based on review of firm's audited Financial Statements for the last two (2) years. (Profit and Lost Statements must be included).
- Total bonding capacity. Provide name of bonding company, telephone number and contact person. Identify bonding agent.
- Available bonding capacity and current backlog, if any.

**E. Small Business Commitment. Demonstrate:**

- Firm's commitment to meeting the small business participation goal of 35% for the project(s). Identify past experience and relationship with small business [**Note: It is the understanding that when taking subcontractor bids for the overall project, that the prime contractor will conform to the 35 % small business participation goal.**]
- Firm's experience at successful completion of small business participation goals on other projects and percentage of participation achieved.
- Firm's commitment to meet small business participation goals.
- Firm's methods, techniques, and procedures for meeting participation goals for first and second tier contractors and subcontractors.

**F. Student Internship Program. Demonstrate:**

- Firm's ability and commitment to develop, and provide paid student internship opportunities in related fields of study, if any. Provide examples.

7. **Selection Criteria:**

Selection of the most highly qualified firm(s) will be made on the basis of demonstrated competence and qualifications to perform the required services. The factors to be used in the evaluation process are listed below. **Note:** *Each weight shall be applied to the corresponding factor and may not reflect the overall available points.*

<b><u>Factor</u></b>	<b><u>Weight</u></b>
• <u>Experience in Performing CM-At-Risks Project(s)</u>	20
• <u>Project Understanding</u>	20
• <u>Past Performance</u>	20
• <u>Price</u>	10
• <u>Firm's Audited Financial Status and Bonding Capacity</u>	10
• <u>Small Business Commitment</u>	15
• <u>Student Internship Program</u>	5
Total Weight:	<hr/> 100 %

8. **Postponement of Proposals Due Date/Time**

Notwithstanding the date/time for receipt of proposals established in this solicitation, the date and time established herein for receiving proposals may be postponed solely at the discretion of HCC.

9. **Oral Presentations**

During the process of selecting a firm, the evaluation team may require oral presentations to be held. Each proposer should be prepared to make a presentation to HCC. The presentations must show that the proposer clearly understands the requirements of the solicitation, and has a strategic plan and approach to complete the required tasks.

10. **Small Business Compliance Review**

To ensure compliance with the small business participation goal in the resulting contract, the selected contractor shall be required to meet with the procurement staff member responsible for this project at the 50% and 75% completion phase to verify small business participation activity.

11. **Prime Contractor/Contracts for Services**

The selected prime contractor shall be required to perform a minimum of 30% of contract services with its labor force and/or demonstrate management of the contract for services to the satisfaction of HCC.

12. **Internship Program**

HCC is expanding its student internship program. All vendors are encouraged to make a commitment to utilize certain HCC student(s) in an internship capacity with the company under any resulting contract for services required under this solicitation. The selected contractor shall be expected to pay the student(s) at least the minimum wage required by law. HCC shall provide the selected contractor with the name of student(s) eligible to participate in the internship program. Please contact Dr. Freddie Wade @ (713) 718-7596 for additional information regarding this program.



### 13. **Prohibited Communications**

Except as provided in exceptions below, the following communications regarding a particular invitation for bids, requests for proposal, requests for qualifications, or other solicitation are prohibited:

- Between a potential vendor, service provider, bidder, offeror, lobbyist or consultant and any Trustee;
- Between any Trustee and any member of a selection or evaluation committee; and
- Between any Trustee and administrator or employee.

The communications prohibition shall be imposed on the date that responses to the solicitation are due or received, whichever is first. The communications prohibition shall terminate when:

- [1] The contract is awarded by the Chancellor or his designee; or
- [2] The award recommendations are considered by the Board at a duly-noticed public meeting.

In the event the Board refers the recommendation back to staff for reconsideration, the communications prohibition shall be re-imposed. The communications prohibition shall not apply to the following:

- Duly noted pre-bid or pre-proposal conferences.
- Communications with the HCC General Counsel.
- Emergency contracts.
- Presentations made to the Board during any duly-noticed public meeting.
- Unless otherwise prohibited in the solicitation documents, any written communications between any parties, provided that the originator shall immediately file a copy of any written communication with the Board Services Office. The Board Services Office shall make copies available to any person upon request.
- Nothing contained herein shall prohibit any person or entity from publicly addressing the Board during any duly-noticed public meeting, in accordance with applicable Board policies, regarding action on the contract.

### 14. **Drug Policy**

HCC is a drug-free workforce and workplace. The manufacture, sale, distribution, dispensation, or use of illegal drugs or alcohol by vendors or contractors while on the premise of HCC is strictly prohibited.

### 15. **TAXES**

HCC is tax exempt as a governmental subdivision of the State of Texas under Section 501C (3) of the Internal Revenue Code. Limited Sales Tax Number: 1-74-1709152-1.

### 16. **Explanation to Proposers/Inquiries**

Any explanation desired by a prospective proposer regarding the meaning or interpretation of the solicitation documents must be requested in writing and with sufficient time allowed (a minimum of Ten (10) calendar days before the date set to receive proposals) for a response to reach prospective proposers before the submission of their proposals. Any HCC response will be in the form of an amendment of the solicitation or an informational letter. The response will be made available to all prospective proposers via HCC website at [www.hccs.edu](http://www.hccs.edu).

Receipt of any amendment(s) issued by HCC shall be acknowledged with the proposal submission. Inquiries concerning this Request for Proposal will be addressed only when submitted in writing. Written inquiries must be submitted no later than **April 24, 2006 @ 4:00 P.M. (local time)** and shall be addressed to:

Houston Community College System  
Procurement Operations  
3100 Main Street (11<sup>th</sup> Floor)  
Houston, Texas 77002  
Reference: Project No. 0624  
E-mail: John.Carter@hccs.edu  
Fax: (713) 718-2113  
Telephone: (713) 718-5029

HCC responses to written inquiries will be sent by e-mail or fax to all firms who register with HCC before or at the pre-proposal meeting. HCC responses will also be posted on the HCC procurement operations website ( [www.hccs.edu](http://www.hccs.edu) ) Click business, Click vendor info, Click bids/proposals, Click Project 06-24

**17. Small Business Development Program:**

HCC has a small business development program to encourage prime contractors in bringing small business subcontractors to a level of being able to provide goods and/or services as prime contractors. The program is designed to prevent discrimination by ensuring that small, underutilized and disadvantaged businesses are informed and prepared to compete for HCC procurements. HCC will neither discriminate nor select vendors on the basis of race, color, national origin, religion, gender, age or disability in its procurement selection process. The small business goal for this project is **35%** participation.

**18. Performance and Payment Bonds**

- Payment Bond:

The Contractor shall furnish a Payment Bond, at time of construction, in the amount equal to one hundred percent (100%) of the contract amount if the contract is in excess of \$25,000.

- Performance Bond:

The Contractor shall furnish a Performance Bond at the time of construction in the amount equal to one hundred percent (100%) of the contract amount if the contract is in excess of \$100,000.00. The bonds must be executed by a corporate surety authorized to do business in Texas and licensed in Texas to issue surety bonds, and must be executed by a surety company that is authorized and admitted to write surety bonds in Texas. If the amount of the bond exceeds \$100,000.00, the surety must:

- Hold a certificate of authority from the U.S. Secretary of the Treasury to qualify as a surety on obligations permitted or required under federal law; or
- Have obtained reinsurance for any liability in excess of \$100,000.00 from a reinsurer that is authorized and admitted as a reinsurer in Texas and is the holder of a certificate of authority from the U.S. Secretary of the Treasury to qualify as a surety or reinsurer on obligations permitted or required under federal law.

The Performance and Payment Bonds must be submitted to the Purchasing Department within fourteen (14) calendar days after receipt of a copy of the executed contract or a written notice of contract award. The bonds must be made payable to Houston Community College System.

**ATTACHMENT NO. 1**  
**HOUSTON COMMUNITY COLLEGE SYSTEM**  
**REQUEST FOR PROPOSALS**

\*\*\*\*\*

**PROPOSAL /CONTRACT AWARD FORM**

**Project Title:** Construction Manager-At-Risk Services  
**Project No.:** 06-24

\*\*\*\*\*

In compliance with the requirements of this Request for Proposals for CM-At-Risk Services, the undersigned hereby proposes to furnish all necessary resources required to perform the services in accordance with the Technical & Price Proposal dated \_\_\_\_\_, and as mutually agreed upon by subsequent negotiations, if any.

-----  
Receipt of Proposal Amendment(s)

The undersigned acknowledges receipt of the below listed amendment(s).  
(List amendment number & date.)

\_\_\_\_\_  
Amendment Number(s)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Proposer (Type or Print)

\_\_\_\_\_  
Business Address (Type or Print, include "zip code")

\_\_\_\_\_  
Signed By (Sign in ink; type or print name and title under signature)

## ACCEPTANCE AND CONTRACT AWARD FORM

(Note: This page will be completed by HCC.)

-----  
Project No. 06-24, Construction Manager-At-Risk Services  
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Contractor to perform the work required herein in accordance with Purchase Order(s) issued by HCC and the Terms and Conditions of Purchase posted on the HCC website at [www.hccs.edu](http://www.hccs.edu), incorporated herein by reference, and the prices, scope of services and general terms and conditions attached hereto and made a part hereof.

HOUSTON COMMUNITY COLLEGE SYSTEM

Executed for and on behalf of the Houston Community College System pursuant to approval by the Board of Trustees on \_\_\_\_\_, 2006

Signed By: \_\_\_\_\_

Name: Michael Kyme  
Title: Executive Director, Procurement Operations

**ATTACHMENT NO.2  
FEE PROPOSAL**

Construction Manager-At-Risk Services

Project No. 06-24

Northeast College Northline Campus

GC= General Conditions

O+P= Overhead & Profit

<b>General Condition Fee Percentage (%)</b>	<b>General Condition Fee Dollars (\$)</b>	<b>Overhead &amp; Profit Fee Percentage (%)</b>	<b>Overhead &amp; Profit Fee Dollars (\$)</b>

\_\_\_\_\_  
CM-At-Risk Firm (Name)

\_\_\_\_\_  
Date

***Note: Submit this fee proposal document in a separately sealed envelope!***

## **ATTACHMENT NO. 3**

### **SCOPE OF SERVICES For Construction Manager-At-Risk Services**

#### **A. Pre-construction Phase Services:**

1. The CM-At-Risk shall provide a preliminary evaluation of the HCC program and project budget requirements, each in terms of the other.
2. Visit the site and inspect the existing facilities, systems and conditions to insure an accurate understanding of the existing conditions as required.
3. Review and understand the standards and requirements in the HCC design guidelines manuals and perform all services in accordance with those standards and requirements.
4. Participate in meetings as a member of the project team that consists of the project architect, HCC project manager, and other consultants as required during the development of the project.
5. CM-At-Risk shall recommend to the project team a schedule for procurement of long-lead time items which will constitute part of the work as required or meet the project schedule.
6. Preparation of a specific project management plan.
7. Consult with the architect and HCC regarding site use and improvements, and the selection of materials, building systems and equipment.
8. Provide recommendations on construction feasibility; actions designed to minimize adverse effects of labor or material shortages; time requirements for procurement, installation and construction completion; and factors related to construction cost including estimates of alternative designs or materials, and preliminary budgets.
9. Prepare preliminary cost estimate utilizing area, volume or similar conceptual estimates techniques.
10. When schematic design documents have been prepared by the architect and approved by HCC, the CM-At-Risk shall prepare a more detailed estimate with supporting data.
11. When design development documents have been prepared by the architect and approved by the HCC, the CM-At-Risk shall prepare a more detailed estimate with supporting data.
12. If any estimate submitted by the CM-At-Risk, exceeds previously approved estimates or HCC budgets, the CM-At-Risk shall make the appropriate recommendations to the architect and HCC.
13. Publicly advertise for and select subcontractors.
14. Review all drawings, specifications, and other construction documents as they are developed by the architect during schematic design, design development, and construction documents design phases of the project.
15. When the drawings and specifications are sufficiently complete, the CM-At-Risk shall propose a Guaranteed Maximum Price (GMP), which shall be the sum of the estimated cost of the work and the CM-At-Risk fee.

**B. Construction Phase Services:**

1. Provide overall management of Project construction including all trades and subcontractors.
2. Project duration is approximately 365 calendar days.
3. Construct the work in strict accordance with the construction documents and as required by the Uniform General and Supplementary General Conditions and HCC specifications within the time required by the project schedule approved by HCC.
4. Organize and maintain a competent, full-time staff at the project site with clearly defined authority and communication.
5. Develop a Critical Path Method schedule for organizing the construction activities, monitor and direct the progress of the work.
6. Attend HCC regularly scheduled project progress meetings and fully advise the project team of the project status including schedule, cost, quality and changes.
7. Coordinate delivery and installation of HCC procured materials and equipment.
8. Obtain building permits and special permits for permanent improvements as required by law or the construction documents.
9. Coordinate, monitor and inspect the work of subcontractors to ensure conformance with the construction documents.
10. Be responsible for all construction means, methods, techniques, sequences and procedures, and for coordinating all portions of the work.
11. CM-At-Risk shall promptly correct any defective work at the CM-At-Risk sole expenses.

**C. Post Construction Phase Services:**

1. Prepare as-built drawings and collect all construction close-out documents for distribution to the HCC.
2. Assist in obtaining occupancy permits.
3. Provide services during warranty periods.
4. Timely prepare punch list of defective work before end of one (1) year warranty period.

**ATTACHMENT NO. 4  
PROJECT NO. 06-24**

**HOUSTON COMMUNITY COLLEGE SYSTEM  
DETERMINATION OF GOOD FAITH EFFORT**

Proposer \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Fax Number \_\_\_\_\_

In making a determination that a good faith effort has been made, HCC requires the Proposer to complete this form and submit supporting documentation explaining in what ways the Proposer has made a good faith effort to attain the goal. The Proposer will respond by answering “yes” or “no” to the following and provide supporting documentation.

- \_\_\_\_\_ (1) Whether the Proposer provided written notices and/or advertising to at least five (5) certified small businesses or advertised in general circulation, trade association and/or small businesses focus media concerning subcontracting opportunities.
  
- \_\_\_\_\_ (2) Whether the Proposer divided the work into the reasonable portions in accordance with standard industry practices.
  
- \_\_\_\_\_ (3) Whether the Proposer documented reasons for rejection or met with the rejected small business to discuss the rejection.
  
- \_\_\_\_\_ (4) Whether the Proposer negotiated in good faith with small businesses, not rejecting qualified subcontractors who were also the lowest responsive bidder.

**NOTE:** If the Proposer is unable to meet the solicitation goal or if any of the above items (1-4) are answered “no”, the Proposer must submit a letter of justification.

\_\_\_\_\_  
Signature of Proposer

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date





**ATTACHMENT NO. 5  
SMALL BUSINESS UNAVAILABILITY CERTIFICATE**

I, \_\_\_\_\_, \_\_\_\_\_,  
 (Name) (Title)

Of \_\_\_\_\_, certify that on the date shown below, I contacted the following small  
 (Business name) business(es) to obtain a Bid for Materials or Services to be utilized on  
 HCC Project No. \_\_\_\_\_

DATE CONTACTED	SMALL BUSINESS	TELEPHONE NO.	CONTACT PERSON	MATERIALS OR SERVICES	RESULTS
1.					
2.					
3.					
4.					
5.					
6.					

To the best of my knowledge and belief, said small business was unavailable for this solicitation, unable to prepare a proposal or prepared a proposal that was rejected for the reason(s) stated in the RESULTS column above.

The above statement is a true and accurate account of why I was unable to award a subcontract(s) or supply orders(s) to the small business listed above.

*NOTE: This form to be submitted with all Proposer documents for Waiver of small business participation. (See Instructions to Proposers)*

Signature: \_\_\_\_\_  
 (Proposer)

**ATTACHMENT NO. 6  
SMALL BUSINESS DEVELOPMENT QUESTIONNAIRE**

**Note:** Vendors are to complete this form along with a **copy** of the Contractor and First Tier Subcontractor/Supplier Participation Form and return them in a separate envelope addressed to:

**Houston Community College System  
Economic Development Office  
Post Office Box 667517  
Houston, Texas 77266-7517  
Project#06-24**

FIRM NAME: \_\_\_\_\_

FIRM ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

TELEPHONE: \_\_\_\_\_

FAX NUMBER: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

CONTACT PERSON'S NAME AND PHONE NO. \_\_\_\_\_

SIGNATURE OF FIRM'S AUTHORIZED OFFICIAL: \_\_\_\_\_

NAME AND TITLE (Type or Print): \_\_\_\_\_

**COMPANY MAJORITY OWNERSHIP** (Check one in each column)

ETHNICITY

GENDER

LOCATION

\_\_\_\_ African American (AA)      \_\_\_\_ Male      \_\_\_\_ Houston (H)

\_\_\_\_ Asian Pacific American (APA)      \_\_\_\_ Female      \_\_\_\_ Texas (T)

\_\_\_\_ Caucasian ( C)      \_\_\_\_ Out of State (O)

\_\_\_\_ Hispanic American (HA)      Specify State \_\_\_\_

\_\_\_\_ Native American (NA)      \_\_\_\_ Public Owned (PO)

\_\_\_\_ Other (O) Specify \_\_\_\_\_

**BUSINESS CLASSIFICATION**

\_\_\_\_ **DBE** Disadvantaged Business Enterprise      \_\_\_\_ **SB** Small Business  
 \_\_\_\_ **WBE** Women Owned Business Enterprise      \_\_\_\_ **MBE** Minority Business Enterprise  
 \_\_\_\_ **HUB** Historically Underutilized Business      \_\_\_\_ Other: \_\_\_\_\_

Please provide information regarding certifying agency (if any)

Name of Agency	Certificate Number	Expiration Date
_____	_____	_____
_____	_____	_____
_____	_____	_____

**ATTACHMENT NO. 7**

**CONTRACTOR AND FIRST TIER SUBCONTRACTOR/SUPPLIER PARTICIPATION**

Bidder/offerer presents the following participants in this solicitation and any resulting Contract. All bidders / offerers, including small businesses bidding as prime contractors, are required to demonstrate good faith efforts to include eligible small businesses in their bid submissions as subcontractors and/or suppliers.

CONTRACTOR	Type of Work to be Performed or Materials Supplied	Indicate if Small Business, DBE, HUB, MBE, etc.	Percentage of Contract Effort	Price
Business Name:				
Business Address:				
Telephone No. :				
Contact Person:				
SUBCONTRACTORS				
Business Name:				
Business Address:				
Telephone No. :				
Contact Person:				
Business Name:				
Business Address:				
Telephone No. :				
Contact Person:				
SUPPLIERS				
Business Name:				
Business Address:				
Telephone No. :				
Contact Person:				
Business Name:				
Business Address:				
Telephone No. :				
Contact Person:				

Submitted by: \_\_\_\_\_ Business Name: \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

Address: \_\_\_\_\_

Contractor \$ \_\_\_\_\_

Telephone/Fax: \_\_\_\_\_ Date: \_\_\_\_\_

Subcontractor(s) \$ \_\_\_\_\_

Supplier (s): \$ \_\_\_\_\_

**ATTACHMENT NO. 8**

**NON-DISCRIMINATION STATEMENT**

The undersigned certifies that he/she will not discriminate against any employee or applicant for employment or in the selection of subcontractors because of race, color, age, religion, gender, national origin or disability. The undersigned shall also take action to ensure that applicants are employed, and treated during employment, without regard to their race, color, religion, gender, age, national origin or disability. Such action shall include, but shall not be limited to the following: employment, upgrading or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other compensation, and selection for training, including apprenticeship.

Name/Title: \_\_\_\_\_  
(Type or Print)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Company Name: \_\_\_\_\_  
(Type or Print)

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

**ATTACHMENT NO. 9**

**CERTIFICATION AND DISCLOSURE STATEMENT**

A person or business entity entering into a contract with HCC is required by Texas Law to disclose, in advance of the contract award, if the person or an owner or operator of the business entity has been convicted of a felony. The disclosure should include a general description of the conduct resulting in the conviction of a felony as provided in section 44.034 of the Texas Education Code. The requested information is being collected in accordance with applicable law. **This requirement does not apply to a publicly held corporation.**

If an individual: YES or NO  
Have you been convicted of a felony? \_\_\_\_\_

If a business entity: YES or NO  
\_\_\_\_\_

Has any owner of your business entity been convicted of a felony? \_\_\_\_\_

Has any operator of your business entity been convicted of a felony? \_\_\_\_\_

If you answered yes to any of the above questions, please provide a general description of the conduct resulting in the conviction of the felony, including the Case Number, the applicable dates, the State and County where the conviction occurred, and the sentence. I attest that I have answered the questions truthfully and to the best of my knowledge.

By: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Business Entity: \_\_\_\_\_

Signature of Firm's Authorized Official: \_\_\_\_\_

**State of Texas**

sworn to and subscribed before me at \_\_\_\_\_

Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 2006

\_\_\_\_\_  
Notary Public for the State

Of \_\_\_\_\_

**ATTACHMENT NO. 10**

**STATE OF TEXAS AFFIDAVIT**

This company, contractor, or subcontractor agrees to refrain from discrimination in terms and conditions of employment on the basis of race, color, religion, sex, physical handicap, or national origin, and agrees to take affirmative action as required by Federal Statutes and Rules and Regulations issued pursuant thereto in order to maintain and ensure nondiscriminatory employment practices.

Signed: \_\_\_\_\_

Name of Company: \_\_\_\_\_

Address of Company: \_\_\_\_\_

**State of Texas**

Sworn to and subscribed before me at \_\_\_\_\_

Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Notary Public for the State of \_\_\_\_\_

**ATTACHMENT NO. 11  
BUSINESS QUESTIONNAIRE**

FIRM NAME: \_\_\_\_\_

FIRM ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

TELEPHONE: \_\_\_\_\_

FAX NUMBER: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

CONTACT PERSON'S NAME AND PHONE NO. (Type or Print):

\_\_\_\_\_

SIGNATURE OF FIRM'S AUTHORIZED OFFICIAL: \_\_\_\_\_

NAME AND TITLE (Type or Print): \_\_\_\_\_

Do you or any officer, partner, owner, sales representative and/or spouse work for the Houston Community College System?      \_\_\_\_\_ Yes      \_\_\_\_\_ No

If yes, please specify: \_\_\_\_\_

State in which your home office / headquarters is located \_\_\_\_\_?

If headquarters is located out of state, does that state have preferential treatment on Bids? \_\_\_\_\_

If yes, list percentage. \_\_\_\_\_%

Name of Financial Institution \_\_\_\_\_      Contact Person \_\_\_\_\_  
Title \_\_\_\_\_

Please indicate how you became aware of this procurement?      Source: \_\_\_\_\_

*Example: Newspapers (Chronicle, El Dia, Houston Star, African American News, etc.)  
Houston Minority Business Council, HCC Website, Chamber of Commerce, etc.)*



**TYPE OF ORGANIZATION**

\_\_\_\_\_ Individual  
\_\_\_\_\_ Partnership

\_\_\_\_\_ Sole Proprietorship  
\_\_\_\_\_ Corporation, Incorporated in \_\_\_\_\_

Federal Employer Identification Number \_\_\_\_\_  
Social Security Number, if an individual \_\_\_\_\_

How long in business under present name \_\_\_\_\_  
Number of persons now employed \_\_\_\_\_

**BUSINESS CLASSIFICATION**

\_\_\_\_\_ DBE Disadvantaged Business Enterprise  
\_\_\_\_\_ WBE Women Owned Business Enterprise  
\_\_\_\_\_ HUB Historically Underutilized Business

\_\_\_\_\_ SB Small Business  
\_\_\_\_\_ MBE Minority Business Enterprise  
\_\_\_\_\_ Other: \_\_\_\_\_

*\* HCC is an equal opportunity / educational institution, which does not discriminate on the basis of race, religion, national origin, gender, age or disability. HCC encourages small and disadvantaged businesses to seek procurement opportunities*

**REFERENCES**

List three references (local or otherwise) which have been or are now your customer and at least one in which you have performed comparable work in quantity and scope to that specified in this solicitation.

	<u>Name of Firm</u>	<u>Address</u>	<u>Point of Contact</u>	<u>Telephone #</u>
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____

**State of Texas**

Sworn to and subscribed before me at \_\_\_\_\_

Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 2006

\_\_\_\_\_  
Notary Public for the State

of \_\_\_\_\_

**ATTACHMENT NO. 12**

**ASSURANCE OF SBDP GOAL**

The undersigned certifies that he/she has read, understands and agrees to be bound by the small business provisions set forth in this solicitation. The undersigned further certifies that he/she is legally authorized to make the statements and representations in the Solicitation and that said statements and representations are true and accurate to the best of his/her knowledge. The undersigned will enter into formal agreement(s) for work identified on the **CONTRACTOR AND FIRST TIER SUBCONTRACTOR PARTICIPATION** form conditioned upon execution of a contract with HCC. The undersigned agrees to attain the small business utilization percentages of the total offer amount as set forth below:

**Small Business Participation Goal = 35%**

The undersigned certifies that the firm shown below has not discriminated against any small business or other potential subcontractor because of race, color, religion, gender, age, veteran's status, disability or national origin, but has provided full and equal opportunity to all potential subcontractors irrespective of race, color, religion, gender, age, disability, national origin or veteran status.

The undersigned understands that if any of the statements and representations are made knowing them to be false or there is a failure to implement any of the stated commitments set forth herein without prior approval of the Chancellor or the duly authorized representative, the bidder/proposer may be subject to the loss of the contract or the termination thereof resulting from this bid and could be ineligible for future HCC contract awards.

Signature \_\_\_\_\_

Title \_\_\_\_\_ Date of Signing \_\_\_\_\_

Firm Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Telephone Number \_\_\_\_\_

## **ATTACHMENT NO. 13 HCC VENDOR APPLICATION**

HCC Procurement Operations has developed an online vendor application system. This system is designed to allow firms or individuals that are interested in doing business with HCC to register online and become part of our vendor database. Once registered, you will receive a password and personal login information that will allow you to modify your vendor information anytime a change occurs with your company. You will have the flexibility to add or delete commodity lines, update phone numbers and contact information, etc. This database will allow HCC to notify, via email, all companies that match the desired commodity criteria for procurement opportunities within HCC.

Please take a moment to go to the procurement website and register as a vendor. The website address to access the vendor registration form is:

[http://216.119.142.201/HCCS/Supplier\\_Registration\\_Form.asp](http://216.119.142.201/HCCS/Supplier_Registration_Form.asp)

Once you have completed your application, please print out a copy of the completed application and submit it with your completed bid package. If you do not have internet access you are welcome to use a computer at any HCC library to access the website and register or utilize the procurement operations vendor room located at 3100 Main Street, Room 11A06.

**ATTACHMENT NO. 14  
INSURANCE REQUIREMENTS**

**HOUSTON COMMUNITY COLLEGE SYSTEM**

The insurance coverage and limits listed below are the minimum limits that the Vendor/Contractor shall carry during performance of the contract for Construction Manager-At-Risk Services, Project No. 06-24

**1. Commercial General Liability for Bodily Injury / Property Damage Limits:**

Occurrence / Personal Injury / Advertising / Products / Completed Operations	\$1,000,000 CSL
Annual Aggregate	\$2,000,000 CSL
Products Aggregate	\$2,000,000 CSL
Fire, Lightning or Explosion	\$1,000,000 CSL
Medical Expense	\$5,000 Per Person

**2. Automobile Liability:**

Bodily Injury / Property Damage	\$1,000,000
---------------------------------	-------------

**3. Workers Compensation:**

Part A - Statutory	
Part B -	\$1,000,000 Each Accident
	\$1,000,000 Policy Limits
	\$1,000,000 Each Employee

**4. Professional Liability**

Professional liability coverage is required when a professional liability exposure is present. A minimum of \$5,000,000 will be required.

The following endorsements are required on the Certificate of Insurance:

- 90 Day Notice of Cancellation;
- Houston Community College System be named as Additional Insured on all policies except the Workers Compensation;
- Waiver of Subrogation added by endorsement on all policies;
- The assigned HCC project number and/or purchase order.

The original certificate of insurance, indicating the coverage, limits and endorsements stated herein, shall be furnished to Houston Community College System within 14 calendar days after receipt of a written purchase order or some other duly executed contractual document. Mail the original certificate to: Houston Community College, PO Box 667517 (MC-1119), Houston, TX 77266, Attn: Risk Management Office.

ATTACHMENT # 15



**CONFLICT OF INTEREST QUESTIONNAIRE FORM CIQ  
For vendor of other person doing business with local government entity**

This questionnaire is being filed in accordance with chapter 176 of the Local Government Code by a person doing business with the government entity.

By Law this questionnaire must be filled with the records administrator of the local government not later than the 7<sup>th</sup> business day after the date the person becomes aware of facts that require the statement to be filed. See Section 76.006, Local Government Code. A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

**OFFICE USE ONLY**  
Date Received

**1 Name of Person doing business with local government entity.**

**2**   **Check this box if you are filing an update to a previous questionnaire.** (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than September 1 of the year for which an activity described in Section 176.006(a), Local Government Code, is pending and not later than the 7<sup>th</sup> business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

**3 Describe each affiliation or business relationship with an employee or contractor of the local government entity who makes recommendations to a local government officer of the local government entity with respect to the expenditure of money.**

**4 Describe each affiliation or business relationship with a person who is a local government officer and who appoints or employs a local government officer of the local government entity that is the subject of this questionnaire.**

**CONFLICT OF INTEREST QUESTIONNAIRE FORM CIQ**

For vendor of other person doing business with local government entity PAGE 2

5 Name of local government officer with whom filer has affiliation or business relationship. (Complete this section only if the answer to A, B, or C is YES.)

This section, item 5 including subparts A, B, C, & D, must be completed for each officer with whom the filer has affiliation or business relationship. Attach additional pages to the Form CIQ as necessary.

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

Yes No

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

Yes No

C. Is the filer of this questionnaire affiliated with a corporation or other business entity that the local government officer serves as an officer or director, or holds an ownership of 10% or more?

Yes No

D. Describe each affiliation or business relationship.

6 Describe any other affiliation or business relationship that might cause a conflict of interest.

7

\_\_\_\_\_  
Signature of person doing business with the government entity

\_\_\_\_\_  
Date

