

RFQ NO. 2024-Bond



**REQUEST FOR STATEMENTS OF QUALIFICATIONS
FOR
DESIGN AND
CONSTRUCTION ADMINISTRATION SERVICES**

December 2, 2024

BRAZOS INDEPENDENT SCHOOL DISTRICT

Wallis, Texas

INSTRUCTIONS TO RESPONDENTS
Article I. GENERAL INFORMATION.

1.1 Request for Statements of Qualifications. Brazos Independent School District ("District") is soliciting qualifications statements from qualified Construction Design firms for program planning, design, and construction administration in connection with various District construction and renovation projects as assigned by the District and detailed herein.

The District reserves the right to award portions of the work to different Design Professionals, to make an award to a single Design Professional or to make no award in connection with this solicitation.

1.2 Point-of-Contact/Restriction on Communication. The District designates the following person as its representative and Point-of-Contact for this RFQ:

Dave Plymale
Superintendent
Brazos ISD
(979) 478-6551
Email: dplymale@brazosisd.net

Respondents shall restrict all contact with the District and direct all questions regarding this RFQ, to the District's Representative specified above. **Do not contact members of the Board of Trustees or other employees of the District. Contact with any of these prohibited individuals after issuance of the RFQ and before selection is made, may result in disqualification of your Qualifications Statement.**

1.3 Approximate Timeline. The following anticipated dates are for planning purposes only.

<u>December 5, 2024</u>	First Advertisement
<u>December 12, 2024</u>	Second Advertisement
<u>December 16, 2024</u>	Qualifications Due
<u>December 18, 2024</u>	Approval of Ranking and Selection by Board

Article II. SCOPE OF SERVICES

2.1 It is the District's objective to enter into a contract with the most qualified Design Professional to provide pre-bond planning, general design and construction administration services, all phases of design, assistance with bidding and negotiation, contract administration and project close out , for construction and renovation projects including renovations to the High School, classroom additions to elementary and middle school campuses, District improvements to parking and roadways, remodel of Agriculture Education Facilities, and possible new construction of Career and Technical Education facilities

Article III. QUALIFICATIONS.

3.1 **Required Qualifications.** Firms submitting statements of qualifications must be represented by a Design Professional licensed to practice in the State of Texas and able to provide a Design Professional to attend meetings of any official nature concerning the Project, including but not limited to Scope Meetings, Review Meetings and other meetings as may be required for the Project.

3.2 **Selection Criteria and Weights:** Evaluation will be based on the Respondent's Qualifications Statement provided in response to this RFQ. The District will evaluate the submitted Qualifications Statements and will evaluate and rank each response submitted based on the following evaluation criteria:.

3.2.1 Demonstrated firm experience in the planning, programming, design, and renovations of high quality and cost-effective facilities. **30 Points**

3.2.2 Strong team work ethic and cooperation both within the firm and outside of the firm with contractors, consultants, and Owner representatives. **20 Points**

3.2.3 A proven firm and/or team capable of providing creative, functional, flexible, and technologically sound design solutions with an economy of means and within the project budget. **20 Points**

3.2.4 Outstanding experience and reputation, based upon information provided by the Respondent as well as information obtained by references; past experience of the Owner with the firm; past experience on similar projects for other school districts; record for delivery of design documents within schedule, and other similar factors reflecting the experience and reputation of the Design Professional and its firm. **20 Points**

3.2.5 Experienced and capable key personnel to be used on the project(s), including principals of the firm and the proposed internal project manager. **10 Points**

Article IV. FORM OF QUALIFICATIONS STATEMENT AND SUBMISSION DEADLINE.

4.1. Statements of Qualification must be submitted mail or delivery to Michael Heinroth with the following subject line: "**Architect RFQ 2024**". Submit physical copies of their Qualifications Statement at **227 Educator Lane, P.O. Box819, Wallis, Texas 77485, care of Superintendent Dave Plymale**. Copies of Responses must be received, no later than **2:00 P.M., December 16, 2024**. Proposals submitted prior to the above time and date may be modified provided such modifications are sealed and received at the designated location, prior to the time and date set for submission of proposals. Qualification Statements received after the deadline will NOT be accepted and will be returned unopened to the Respondent.

4.2. To achieve a uniform review process and obtain the maximum degree of comparability, it is required that proposals be organized in the manner specified.

4.3. Respondents are expected to examine this RFQ carefully, understand the terms and conditions for providing the services listed herein and respond completely. FAILURE TO COMPLETE AND PROVIDE ANY OF THE ABOVE ITEMS MAY RESULT IN THE RESPONDENT'S QUALIFICATIONS STATEMENT BEING DEEMED NON-RESPONSIVE AND THEREFORE DISQUALIFIED FROM CONSIDERATION. The Qualifications Statement shall be submitted in the order set forth below:

4.3.1 COVER LETTER

- a. Submit a cover letter, prepared on the letterhead of the Respondent, which summarizes the relevant characteristics that distinguish the Respondent in its ability to provide the services requested by the District.
- b. The cover letter should identify each team member and his or her role.
- c. The cover letter should identify a principal contact person authorized to commit the Respondent to a contractual agreement. In addition to providing the name of a principal contact person, the address, telephone number, facsimile number, and email address of said individual should be provided.

4.3.2 EXECUTIVE SUMMARY

- a. Describe your organization's background and experience in planning, design and administration of repurposing/renovation projects similar to the projects proposed herein and past experience with design of softball facilities.
- b. List resources of the firm that would be made available to the District that would distinguish your firm as most qualified to perform the planning, design administration and closeout of the project(s).
- c. Provide an overview of the services your firm proposes to provide the District which address the Project(s) specified.
- d. Provide a statement that the Respondent is able to meet the insurance requirements and provide Certificates of Insurances as specified in the Owner-Architect Agreement attached hereto as **Exhibit A**.

4.3.3 INFORMATION REGARDING SIMILAR WORK

- a. Provide information regarding three (3) **school district clients**, other than the District, that you have worked with in the past on projects of similar size and scope to the ones for which services are requested herein. For each, provide names, addresses and telephone numbers of contact persons that may be of references that may be contacted regarding the quality of your service and your qualifications.

4.3.4 SERVICES.

- a. Provide a description of your firm's overall approach to facility planning and programming, and explain how this approach will benefit the District.
- b. Provide a description of your firm's overall approach to project administration and explain how this approach will benefit the District.

4.3.5 **PROJECT TEAM AND EXPERIENCE.** Provide an organizational chart and biographies of not more than two (2) pages per person on the capabilities, experience, qualifications of the firm management and each team member who would handle any of the requested services for the District. Biographies should include the team member's name, title, and education, brief overview of professional experience.

4.3.6 **THE FORM OF CONTRACT.**

A. The form of Architect Agreement utilized for this Project shall be the *Standard Form of Agreement Between Owner and Architect (AIA Document B101-2017)* as amended by Owner. A copy of this Agreement and is attached hereto as **Exhibit A-1.**

B. The Design Professional will be required to provide administration of the Contract between the Owner and the Contractor as set forth below and in AIA Document A201™-2017, *General Conditions of the Contract for Construction*, as modified by Owner. A copy of these General Conditions is attached hereto as **Exhibit A-2.**

C. **By responding to this RFQ, the Respondent agrees to the contract provisions contained in these two documents unless issues are raised in your response to this RFQ.** Please delineate any comments or requested changes and include an explanation for the requested change, otherwise Respondent will be deemed to have accepted the form of the contract. The final contract is subject to review and approval of the District's legal counsel.

4.3.7 **CONFLICT OF INTEREST QUESTIONNAIRE**

Chapter 176 of the Texas Local Government Code requires that persons, or their agents, who seek to contract for the sale or purchase of property, goods, or services with District shall file a completed Conflict of Interest Questionnaire (CIQ) with District. The CIQ will be submitted as part of the response to a Request for Qualifications. The CIQ is available from the Texas Ethics Commission at www.ethics.state.tx.us. Please consult your own legal advisor if you have questions regarding the statute or form. **This form is required and is considered as part of the response to this RFQ.**

4.3.8 **FELONY CONVICTION NOTIFICATION.**

Complete, sign and submit the Felony Conviction Notification Form, **RFQ Exhibit "B"**. **This form is required and is considered as part of the response to this RFQ.**

4.3.9 **NON-COLLUSION AFFIDAVIT.**

Complete, sign and submit the Non-Collusion Affidavit, **RFQ Exhibit "C"**. **This form is required and is considered as part of the response to this RFQ.**

4.3.10 **ACKNOWLEDGEMENT OF ADDENDUMS**

Complete, sign and submit the Acknowledgement of Addendums, **RFQ Exhibit "D"**. **This form is required ONLY if an addendum is issued for this RFQ.**

4.3.11 **INSURANCE REQUIREMENTS**

The insurance specifications for this project are listed in **Section 2.5** the portion of the Owner-Architect Agreement attached as **Exhibit A-1**. Only the selected Respondent will be expected upon request to provide Certificates of Insurance. **For submittal purposes, the statement made in the Executive Summary that the Respondent is able to meet the insurance requirements and provide Certificates of Insurances as specified in the Owner-Architect Contract will suffice, however, proof of insurance is required prior to commencement of work.**

4.3.12 **SIGNATURE PAGE.**

Complete, sign and submit Signature Page, **RFQ Exhibit "E"**. The Signature Page must be signed by a person, or persons, authorized to bind the entity, or entities, submitting the proposal. Responses signed by a person other than an officer of the company or partner of the firm shall be accompanied by evidence of authority.

4.4 No Qualification Statements, or modification to a Qualification Statement, shall be made orally or by telephone, e-mail, or by facsimile transmission ("fax").

4.5 Qualification Statements may be withdrawn by written request received by the District prior to the time fixed for opening. A copy of any such withdrawal should be forwarded immediately to the District in a sealed opaque envelope properly marked to identify the contents. Emailed responses or withdrawals are also acceptable.

4.6 The District reserves the right to request supplemental information of any and all Respondents to aid the Owner in the evaluation process.

4.7 Time is of the essence, and the award of the contract to the successful Respondent is expressly conditioned upon (i) the Respondent's execution and delivery of the contract and evidence of insurance, within ten (10) calendar days after the successful Respondent is notified of the acceptance of its post-selection price proposal, and (ii) the Respondent's timely

fulfillment of any and all other preconditions expressly set forth in the Contract. Should the Respondent fail to timely execute and deliver the contract, evidence of insurance, or fail to timely fulfill any other such preconditions, the Owner may, at its option and discretion rescind the award and thereafter negotiate with and award the contract to the next ranked Respondent, or may reject all Statements of Qualification.

4.8 By submission of its Statement of Qualifications, the Respondent agrees to waive all rights to claims against the District, or persons authorized by the District for any damages whatsoever arising from the District's or any person's or committee's evaluation of the Respondent's qualifications.

4.9 **Note: Texas Public Information Act:** During the course of the selection process, the Qualifications Statements submitted by Respondents are exempt from disclosure to the public under the Texas Public Information Act. The Qualifications Statements will however, upon the award of the contract, become a public record; and therefore, subject to disclosure to any person who makes a proper request for review of the documents. Some of the information you may provide in your Statement of Qualification may contain commercial or financial information which are deemed privileged or confidential by statute, or may be of a nature which you feel may cause substantial competitive harm to your business if disclosed by the District to a third-party even after the award. You may be entitled to protect this information at the time the request is made for disclosure; however, you will need to consult your legal counsel to assure that this kind of information, if included in your Response, is properly marked as confidential prior to submission. Wholesale marking of your entire proposal "Confidential" or "Proprietary" will not be effective. The District fully complies with the Texas Public Information Act. In the event information from Respondent's Qualification Statement is requested, the District will use its best efforts to notify the Respondent of such request but will have no duty to assert any claim to the Attorney General regarding that the proposal or parts thereof are not subject to disclosure under the Act.

Article V. AWARD OF CONTRACT.

5.1 The District reserves the right to reject any or all Qualifications Statements. There will be no contractual obligations on the part of the District to any Respondent, nor will any Respondent have any property interest or other right in the contract unless and until a reasonable price for the services is negotiated and the contract is unconditionally executed and delivered by all parties, and all conditions to be fulfilled by the Respondent have either been so fulfilled by the Respondent or waived in writing by the District.

5.2 The process followed for awarding the contract shall be substantially as follows:

5.2.1 On the proposal due date, the District will receive, publicly open, and read aloud the names of the Respondents submitting Qualifications Statements.

5.2.2 Within a reasonable time, not to exceed forty-five (45) days after the date of opening the responses, a committee of District representatives to whom the task has been delegated by the Superintendent, will evaluate each Statement of Qualifications submitted in relation to the criteria set out in above, in this Request for Qualifications.

5.2.3 Based on its evaluation, the District representatives will present its ranking of the Respondents in order from first to last, based solely on the qualifications of each Respondent.

5.2.4 At the next regular or special called Board Meeting the Superintendent will present the rankings to the Board of Trustees for approval.

5.2.5 District representatives and/or Board of Trustees may elect to interview or receive presentations from one or more of the Respondents prior to approval of the rankings, but will base its evaluation on the same criteria set forth herein. Price will not be considered during the interview process, if any.

5.2.6 Utilizing the ranking approved by the Board of Trustees, the Superintendent or his designee will attempt to negotiate an agreement for a reasonable price with the first ranked Respondent. If the District is unable to negotiate a contract for a reasonable price with the first selected Respondent, the District will, formally and in writing, end negotiations with that Respondent and proceed to the next ranked Respondent in the order of the selection ranking until a contract is reached or all Qualifications Statements are rejected.

5.2.7 Upon reaching an agreement as to the terms of the Contract with the selected Respondent, the Superintendent, as the Board's delegate, will notify the Respondent that its firm has been selected and within ten (10) days after notice of its selection, Respondent will execute the negotiated contract with the District and shall furnish the insurance certificates required by the Contract in forms acceptable to the District.

Article VI. INDEPENDENT CONTRACTOR.

6.1 Respondent agrees and understands that, if selected, it and all persons designated by it to provide services in connection with the Contract shall be deemed to be independent contractor(s), responsible for their respective acts or omissions, and that District shall in no way be responsible for Respondent's actions, and that none of the parties hereto will have authority to bind the others or to hold out to third-parties, that it has such authority.

RFQ EXHIBIT A-1
Standard Form of Agreement Between Owner and Architect
(AIA Document B101™-2017)

RFQ EXHIBIT A-2
A201™–2017, General Conditions of the Contract for Construction, as amended by
Owner.

RFQ EXHIBIT B
FELONY CONVICTION NOTIFICATION

The Texas Education Code, Section 44.034, Notification of Criminal History, Subsection (a), states "a person or business entity that enters into a contract with a school district must give advance notice to the district if the person or an owner or operator of the business entity has been convicted of a felony. The notice must include a general description of the conduct resulting in the conviction of a felony."

Subsection (b) states "a school district may terminate a contract with a person or business entity if the district determines that the person or business entity failed to give notice as required by Subsection (a) or misrepresented the conduct resulting in the conviction. The district must compensate the person or business entity for services performed before the termination of the contract."

This notice is not required of a Publicly-Held Corporation.

I, the undersigned agent for the firm named below, certify that the information concerning notification of felony conviction has been received by me and the following information furnished is true to the best of my knowledge.

Vendor's Business Name _____

Authorized Company Official's Name (Printed) _____

A. My firm is a publicly-held, stock-exchange corporation; therefore, this requirement is not applicable.

Signature of Company Official: _____

Date Signed: _____

B. My firm is not owned or operated by anyone who has been convicted of a felony.

Signature of Company Official: _____

Date Signed: _____

C. My firm is owned or operated by the following individual(s) who has/have been convicted of a felony (printed name and general description of type of felony or felonies):

1. _____

2. _____

3. _____

4. _____

Signature of Company Official: _____

Date Signed: _____

RFQ EXHIBIT C
NON-COLLUSION STATEMENT

_____, being first duly sworn, deposes and says this:

(1) He is _____ of _____
(a partner or officer) (the firm of, etc.)

the Respondent who has submitted the attached Statement of Qualifications.

(2) He is fully informed respecting the preparation and contents of the attached Statement of Qualifications and of all pertinent circumstances respecting such Statement of Qualifications.

(3) That Statement of Qualifications is genuine and is not a collusive or sham response.

(4) Neither the said Respondent nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly, with another Respondent, firm or person, to submit a collusive or sham. Response in connection with the Contract for which the attached Statement of Qualifications has been submitted or to refrain from proposing in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion, or communication or conferences, with any other Respondent, firm or person to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the Brazos Independent School District of Wallis, Texas or any person interested in the proposed contract; and,

(5) The price or prices which will be offered if selected as the successful Respondent in connection with this Request for Qualifications will be fair and proper and will not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Respondent or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

(Respondent's Business Name): _____

(Respondent's Representative Signature) _____

(Respondent's Representative Title) _____

Subscribed and sworn to before me on this _____ day of _____, 2024.

NOTARY PUBLIC, STATE OF TEXAS

RFQ EXHIBIT D
ACKNOWLEDGEMENT OF ADDENDA

I, _____, acknowledge receipt of the following Addendums to the Request for Qualifications for Design Professional Services issued by Brazos Independent School District, on behalf of the Respondent listed below:

Addendum No.____. Dated: _____ Entitled: _____

Addendum No.____. Dated: _____ Entitled: _____

Addendum No.____. Dated: _____ Entitled: _____

Addendum No.____. Dated: _____ Entitled: _____

☐ Not Applicable

Respondent's Business Name: _____

Signature: _____

Printed Name and Title: _____

RFQ EXHIBIT E
SIGNATURE PAGE AND DECLARATION OF COMPLIANCE

Check (✓) the box that indicates business structure of Respondent.

☐ Individual/Sole Proprietorship ☐ Partnership or Joint Venture ☐ Corporation ☐ Other
Entity (State Type)_____

The undersigned certifies that (s)he is _____ (title) of the Respondent entity named below; that (s)he is authorized to sign this Statement of Qualifications (if a Corporation then by resolution with Certified Copy of resolution attached) for and on behalf of the entity, if any, named below, and that (s)he is authorized to execute same for and on behalf of and bind said entity to the terms and conditions provided for in the Proposal as required by this RFQ, and has the requisite authority to execute an Agreement on behalf of Respondent, if awarded, and that the 11-digit Comptroller's Taxpayer Number for the entity, if any, is:

11-digit Comptroller's Taxpayer Number

Employer Identification No.

Respondent Organization Name

By: _____

Printed Name: _____

Title: _____

By: _____

(If Respondent is a Joint Venture, an authorized signature from a representative of each party is required.)

Printed Name: _____

Title: _____

By signing this Signature Page and Declaration of Compliance, I do hereby declare that I have read the Request for Qualifications, on which our Qualifications Statement is submitted with full knowledge of the requirements, and do hereby agree to furnish all services in full accordance with the requirements outlined in the Request for Qualifications.

By signing and executing this Qualifications Statement, I further certify on behalf of my organization and represent to the Brazos Independent School District that Respondent has not offered, conferred or agreed to confer any pecuniary benefit, as defined by **TEXAS PENAL CODE ANN. § 218**, or any other thing of value, as consideration for the receipt of information

or any special treatment or advantage relating to this Qualifications Statement; the Respondent also certifies and represents that Respondent has not offered, conferred or agreed to confer a pecuniary benefit or other things of value as consideration for the recipient's decision, opinion, recommendation, vote or other exercise of discretion concerning this proposal; the Respondent certifies and represents that Respondent has neither coerced nor attempted to influence the exercise of discretion by any officer, trustee, agent or employee of the Brazos Independent School District concerning this Qualifications Statement on the basis of any consideration not authorized by law; the Respondent also certifies and represents that Respondent has not received any information not available to other Respondent so as to give the undersigned a preferential advantage with respect to this proposal; the Respondent further certifies and represents that Respondent has not violated any state, federal or local law, regulation or ordinance relating to bribery, improper influence, collusion or the like and that Respondent will not in the future offer, confer, or agree to confer a pecuniary benefit or other thing of value to any officer, trustee, agent or employee of the Brazos Independent School District in return for the person having exercised the person's official discretion, power or duty with respect to this Qualifications Statement; the Respondent certifies and represents that it has not nor and will not in the future offer, confer, or agree to confer a pecuniary benefit or other thing of value to any officer, trustee, agent or employee of the Brazos Independent School District in connection with information regarding this Proposal, the submission of this Qualifications Statement, the award or performance of a contract in connection with this RFQ.