REQUEST FOR QUALIFICATIONS
FOR
ARCHITECT/ENGINEER
PROFESSIONAL SERVICES
FOR
TEXAS STATE UNIVERSITY
SAN MARCOS, TEXAS

AQUA SPORTS CENTER
RENOVATION

RFQ No.:
758-20-09091

Submission Date:
May 1, 2020 – 2:00 p.m. (C.D.T.)

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SECTION 1 – GENERAL INFORMATION & REQUIREMENTS

1.1 GENERAL INFORMATION: The Texas State University System (“Owner”), on behalf of Texas State University, is soliciting Statements of Qualifications (“Qualifications”) for the selection of an Architect/Engineer (“A/E”) firm for design of the Aqua Sports Center Renovation project (“Project”) on the Texas State University, San Marcos, Texas campus, in accordance with the terms, conditions, and requirements set forth in this Request for Qualifications (“RFQ”). Prospective A/E firms are hereinafter referred to as “Respondents”.

1.1.1 Collecting Qualifications in response to this RFQ is the first step in selecting an A/E firm. This RFQ provides the information necessary for Respondents to prepare and submit Qualifications for consideration by the Owner. In the next step the Owner will determine an initial ranking of the Respondents. If the initial ranking of the Respondents is reasonably conclusive, the Owner may make a “most qualified” selection based upon the written Qualifications only. If not, then the Owner may conduct interviews with a “short list” of Respondents.

1.1.2 The Owner may select up to five (5) of the top ranked qualified Respondents to participate in an interview with the Owner to confirm and clarify the Qualifications submitted and to answer additional questions. The Owner will then rank the interviewed Respondents in order to determine a single most qualified Respondent.

1.1.3 After selecting the most qualified Respondent the Owner will negotiate the detailed professional services to be provided by the A/E and a suitable fee for those services. The Owner will request a fee proposal from the most qualified Respondent, with supporting information demonstrating that the requested fee is justified by the level of effort (and related personnel costs) required to provide the services necessary for the design of the Project. Potential Respondents should be aware that, except in unusual cases, the Owner does not consider billable time incurred while traveling to and from the Project site, Owner’s offices, or Board of Regents meetings, as necessary to the completion of the Project. Potential Respondents whose offices are located where such time-consuming travel will be regularly required in the performance of services for the Project, should consider this policy when deciding whether or not to submit their Qualifications.

1.2 PUBLIC INFORMATION: All information, documentation, and other materials submitted in response to this solicitation are considered non-confidential and/or non-proprietary and are subject to public disclosure under the Texas Public Information Act (Texas Government Code, Chapter 552.001, et seq.) after the solicitation is completed. The Owner complies with all statutes, court decisions, and opinions of the Texas Attorney General with respect to disclosure of RFQ information. Additionally, pursuant to the provisions of Texas Government Code Section 2261.253, the contract resulting from this solicitation will be posted on the Owner’s website.
1.3 TYPE OF CONTRACT: Any contract resulting from this solicitation will be in the form of the Owner’s Standard Architect/Engineer Agreement, a copy of which is posted on Owner’s website at: http://www.tsus.edu/offices/finance/capital-projects.html

1.3.1 The Contract should be viewed as a draft and is subject to change.

1.4 CLARIFICATIONS AND INTERPRETATIONS: Discrepancies, omissions or doubts as to the meaning of RFQ documents shall be communicated in writing to the Owner for interpretation. Any responses to inquiries, clarifications or interpretations of this RFQ that materially affect or change its requirements will be posted by the Owner as written addendum. All such addenda issued by the Owner before the proposals are due, become part of the RFQ. Respondents shall acknowledge receipt of and incorporate each addendum in its Qualifications. Respondents shall be required to consider only those clarifications and interpretations that the Owner issues by addenda. Interpretations or clarifications in any other form, including oral statements, will not be binding on the Owner and should not be relied on in preparing Qualifications. It is the responsibility of all Respondents to check the status of formal addenda five (5) days prior to the submittal deadline. The deadline for the receipt of written questions and submittal deadline is stated in Section 2.5.

1.4.1 ADDENDA AND AWARD INFORMATION, WILL BE ISSUED BY THE OWNER FOR THIS RFQ VIA THE ELECTRONIC BUSINESS DAILY WEBSITE AT THE FOLLOWING LINK: http://www.txsmartbuy.com/sp REFERENCE “BOARD OF REGENTS/TEXAS STATE UNIVERSITY SYSTEMS – 758” AND THE RFQ NUMBER PROVIDED IN THIS RFQ.

1.5 SUBMISSION OF QUALIFICATIONS:

1.5.1 The Qualifications must be received at the address specified in Section 1.5.2 prior to the date and time deadline. Please note that overnight deliveries such as FedEx and UPS arrive at a central campus location but are not usually delivered to the specified location until after the time deadline. Respondents are advised to use other methods of delivery or, if using an overnight delivery service, to send the Qualifications a day earlier than usual. The Owner will not consider any response to this solicitation that is not received at the address specified by the deadline, regardless of whether it has been received by the University.

1.5.2 DEADLINE AND LOCATION: The Owner will receive Qualifications and HSP Plans for RFQ No. 758-20-09091 at the time and location described below.

**May 1, 2020 - 2:00 p.m. (C.D.T.)**

Karlie Beach, Buyer III
Texas State University
151-2 E. Sessom, Physical Plant Building, Suite 104
San Marcos, TX  78666

1.5.3 Submit two (2) electronic versions of the Qualifications and HUB Subcontracting Plan (“HSP”) on CDs or flash drives in Adobe Acrobat PDF format.

1.5.4 Submit eight (8) identical copies of the Qualifications. An original signature must be included on the Respondent’s “Execution of Offer” document submitted with each copy.
1.5.5 Submit two (2) identical copies of the HSP as a separate attachment from the Qualifications, as described in Section 1.13.

1.5.6 Qualifications and HSP materials received after the deadline in Section 1.5.2 will be returned to the Respondent unopened.

1.5.7 The Owner will not acknowledge or consider Qualifications that are delivered by telephone, facsimile (fax), or electronic mail (e-mail).

1.5.8 Properly submitted Qualifications will not be returned to Respondents.

1.5.9 Qualification and HSP materials must be enclosed in a sealed envelope (box or container) addressed to the Point-of-Contact person. Packages must clearly identify the submittal deadline, the RFQ title and number, and the name, return address and email address of the Respondent contact person on all envelopes. The HSP shall be included with the Qualifications packet but sealed separately.

1.5.10 Properly submitted Qualifications will be opened publicly and the names of the Respondents will be read aloud immediately after the submissions of Qualifications deadline stated in Section 1.5.2.

1.6 POINT-OF-CONTACT: The Owner designates the following person as its representative and Point-of-Contact for this RFQ No. 758-20-09091. Respondents shall restrict all contact with the Owner and direct all questions regarding this RFQ, including questions regarding terms and conditions and technical specifications, to the Point-of-Contact person by email only.

Ms. Karlie Beach, Buyer III
Texas State University
151-2 E. Sessom, Physical Plant Building, Suite 104
San Marcos, TX 78666
Email: kbeach@txstate.edu

1.7 EVALUATION OF QUALIFICATIONS: The evaluation of the Qualifications shall be based on the requirements described in this RFQ. All properly submitted Qualifications will be reviewed, evaluated, and ranked by a Selection Committee appointed by the President of Texas State University. Typically, that committee will include both future users of the facilities developed by the Project and facilities professionals, as well as representation from Texas State University System Administration. The top five (5) or fewer ranked Respondents may be selected by the Owner for further consideration by participating in an interview wherein Qualifications will be presented and examined in further detail and where questions will be posed by the Selection Committee and answered by the Respondent.

1.7.1 Qualifications submittals should not include any information regarding Respondent’s proposed fees, pricing, or other compensation considerations as these will not be a factor in the selection of the most qualified Respondent.

1.8 OWNER’S RESERVATION OF RIGHTS: The Owner may evaluate the Qualifications based on the anticipated completion of all or any portion of the Project. The Owner reserves the right to divide the Project into multiple parts, to reject any and all Qualifications and re-solicit for new Qualifications, or to reject any and all submissions and temporarily or permanently abandon the Project. Owner makes no representations, written or oral, that it will enter into any form of
agreement with any Respondent to this RFQ for any project and no such representation is intended or should be construed by the issuance of this RFQ.

1.9 **ACCEPTANCE OF EVALUATION METHODOLOGY:** By submitting its Qualifications in response to this RFQ, Respondent accepts the evaluation process and acknowledges and accepts that determination of the “most qualified” firm(s) will require subjective judgments by the Owner. Determinations by the Selection Committee will be subject to routine administrative review by the Owner’s executive officers but, once a selection is announced, it will not be subject to further review.

1.10 **NO REIMBURSEMENT FOR COSTS:** Respondent acknowledges and accepts that any costs incurred from the Respondent’s participation in this RFQ shall be at the sole risk and responsibility of the Respondent.

1.11 **PRE-PROPOSAL CONFERENCE:** In lieu of a Pre-Proposal meeting, the Programming Guide is included with this posting to provide additional information. See Section 2.4.

1.12 **ELIGIBLE RESPONDENTS:** Only individual firms or lawfully formed business organizations may apply (This does not preclude a Respondent from using consultants.) The Owner will contract only with the individual firm or formal organization that submits a Qualification.

1.13 **HISTORICALLY UNDERUTILIZED BUSINESSES’ SUBMITTAL REQUIREMENTS:** It is the policy of the Owner and each of its component institutions, to promote and encourage contracting and subcontracting opportunities for Historically Underutilized Businesses (“HUB”) in all contracts. Accordingly, specific plans and representations by Respondents that appear to facilitate the State’s commitment to supporting HUB enterprises are required in the selection process. Failure to submit specific plans and representations regarding HUB utilization, or failure to address the subject at all, will be interpreted by the Selection Committee as an intention not to support the program and will disqualify the Respondent. A HUB Subcontracting Plan (HSP) is required as a part of the Respondent's Qualifications.

1.13.1 The HSP information may be downloaded from the Texas State Comptroller’s website at the following URL link: https://comptroller.texas.gov/purchasing/vendor/hub/forms.php

1.14 **CERTAIN PROPOSALS AND CONTRACTS PROHIBITED:** Under Section 2155.004, *Texas Government Code*, a state agency may not accept a proposal or award a contract that includes proposed financial participation by a person who received compensation from the agency to participate in preparing the specifications or request for proposals on which the proposal or contract is based. All vendors must certify their eligibility by acknowledging the following statement, "Under Section 2155.004, Government Code, the vendor certifies that the individual or business entity named in this bid or contract is not ineligible to receive the specified contract and acknowledges that this contract may be terminated and payment withheld if this certification is inaccurate." If a state agency determines that an individual or business entity holding a state contract was ineligible to have the contract accepted or awarded as described above, the state agency may immediately terminate the contract without further obligation to the vendor. This section does not create a cause of action to contest a proposal or award of a state contract.

1.15 **SALES AND USE TAXES:** Section 151.311, *Texas Tax Code*, as amended effective October 1, 1993, permits the purchase free of state sales and use taxes of tangible personal property to be incorporated into realty in the performance of a contract for an improvement to realty for certain exempt entities that include the Owner. The section further permits the purchase tax-free of tangible personal property (other than machinery or equipment and its accessories and repair and
replacement parts) for use in the performance of such a contract if the property is "necessary and essential for the performance of the contract" and "completely consumed at the job site." In addition, the section permits the purchase tax-free of a tangible service for use in the performance of such a contract if the service is performed at the job site and if "the contract expressly requires the specific service to be provided or purchased by the person performing the contract" or "the service is integral to the performance of the contract."

1.16 CERTIFICATION OF FRANCHISE TAX STATUS: Respondents are advised that the successful Respondent will be required to submit certification of franchise tax status as required by State Law (Texas Tax Code Chapter 171). The contractor agrees that each subcontractor and supplier under contract will also provide a certification of franchise tax status.

1.17 DELINQUENCY IN PAYING CHILD SUPPORT: Under Section 231.006, Texas Family Code, the vendor or applicant certifies that the individual or business entity named in this contract, bid, or application is not ineligible to receive the specified grant, loan, or payment and acknowledges that this contract may be terminated and payment may be withheld if this certification is inaccurate.

1.18 NONDISCRIMINATION: In their execution of this agreement, Respondent, consultants, their respective employees, and others acting by or through them shall comply with all federal and state policies and laws prohibiting discrimination, harassment, and sexual misconduct. Any breach of this covenant may result in termination of this agreement.

1.19 NON-BOYCOTT VERIFICATION: Pursuant to Section 2270.002 of the Texas Government Code, Respondent certifies that either (i) it meets an exemption criteria under Section 2270.002; or (ii) it does not boycott Israel and will not boycott Israel during the term of the contract resulting from this solicitation. Respondent shall state any facts that make it exempt from the boycott certification in its Response.

1.20 CYBERSECURITY TRAINING PROGRAM: Pursuant to Section 2054.5192, Texas Government Code, A/E and its consultants, officers, and employees, who have access to Owner’s computer system, must complete a cybersecurity training program certified under Section 2054.519, Texas Government Code as selected by the Owner. The cybersecurity training program must be completed by A/E and its consultants, officers, and employees, who have access to Owner’s computer system, during the term and any renewal period of this Agreement. A/E shall verify in writing completion of the program to the Owner within the first thirty (30) calendar days of the term and any renewal period of this Agreement.

1.21 STATE REGISTRATION OF ARCHITECTURAL FIRMS: Respondents are advised that the Texas Board of Architectural Examiners requires that any entity (including architects, landscape architects and interior designers) providing architectural services (including architects, landscape architects and interior designers) to the public must register with the Texas Board of Architectural Examiners. An entity is defined as a sole proprietorship, firm, partnership, corporation or joint stock association. The Texas Board of Architectural Examiners, 333 Guadalupe Street, Suite 2-350, Austin, Texas 78701, telephone (512) 305-9000, has jurisdiction over individuals licensed under the Architects’ Registration Law, Chapter 1051, Texas Occupations Code.

1.22 STATE REGISTRATION OF ENGINEERING FIRMS: Respondents are advised that the Texas Board of Professional Engineers requires that any entity providing engineering services to the public must register with the Texas Board of Professional Engineers. An entity is defined as a sole proprietorship, firm, partnership, corporation or joint stock association.
SECTION 2 – EXECUTIVE SUMMARY

2.1 HISTORICAL BACKGROUND: In 1885, an 11-acre plot of land was purchased by the city of San Marcos to organize a Chautauqua. For approximately ten years the Chautauqua was an important educational force, offering education and entertainment to those attending. By the time the Chautauqua was faltering in the 1890s, the State of Texas saw an increasing need for a Normal School to help solve the shortage of public school teachers. In 1899 the State Legislature authorized the establishment of a Normal School in San Marcos if the citizens would furnish the land. The City of San Marcos donated 11-acres, known as Chautauqua Hill, to the State of Texas to serve as the site for the proposed Normal School. In 1901, the Legislature accepted the gift of land and appropriated funds for the creation of the Normal School. Work on the Main Building began in 1902, and in the fall of 1903 the Southwest Texas State Normal School opened with 17 faculty members and 303 students.

Over the years the Texas Legislature broadened the institution’s scope and changed its name successively to Southwest Texas State Normal College (1918), Southwest Texas State Teacher’s College (1923), Southwest Texas State College (1959), and Southwest Texas State University (1969). As the University evolved, it saw itself becoming more than a regional university and the name was changed to Texas State University-San Marcos (2003). Finally, the name was changed to eliminate the city reference and the institution became Texas State University (2013). The University changed from offering only teaching certificates in 1903 to a prominent institution by 2013 offering 97 undergraduate degrees, 88 masters, and 12 doctoral degree programs. While teacher preparation remains an important responsibility, the scope of the university programs has greatly expanded its prestige, prominence and recognition. The student population has now exceeded 36,750 making it the fourth largest university in the State of Texas. The original San Marcos core campus has grown from 11 acres to 457 acres. The university also includes 5038 additional acres of farm, ranch, residential and recreational areas and 101 acres at the Round Rock Campus.

In January 2012, the Texas Higher Education Coordinating Board reclassified Texas State University as an Emerging Research University. In light of its new classification, the university developed a long-term research strategic plan for achieving recognition as a National Research University. Texas State remains deeply committed to undergraduate student success, even as the university broadens its mission to include doctoral programs and an expanded research agenda.

2.2 MISSION STATEMENT: Texas State University is a public, student-centered, doctoral granting institution dedicated to excellence in serving the education needs of the diverse population of Texas and the world beyond.

2.3 PROJECT DESCRIPTION, SCOPE AND BUDGET: The Project consists of interior renovations to the existing Aqua Sports Center in order to accommodate educational spaces in the Department of Theatre and Dance as well as the School of Journalism and Mass Communication. Built in 1971, the Aqua Sports Center is a double height, split level building containing an indoor swimming pool and support spaces on the lower level and a gymnasium on the upper level. The primary area of scope will be the lower level swimming pool area, which will be drained and filled in. Major learning program components include a Film Sound Stage, Computer Lab, Television Studio, and a Recording/Mix Studio along with support spaces and storage. None of the spaces will have a live audience. A new electrical and technology system is required, as is a new roof and hydronic mechanical system. The plumbing system is anticipated to be remodeled as needed. Minor modification to the exterior will update the existing approach and accessible route to comply with TAS/ADA, as well as utility modifications.

The total Construction Cost Limitation for the project is $6,919,000.
2.4 **FACILITY PROGRAM:** The Architectural Space Program is complete, and the programming guide can be found by referencing the following link:

https://gato-docs.its.txstate.edu/jcr:faead2ff-2650-4e7d-a84f-3c082b9a09f1/TXST_AquaSports_Program.pdf

2.5 **PROJECT PLANNING SCHEDULE:** Key Project planning schedule milestones are:

2.5.1 Owner publishes RFQ for A/E Professional Services ........................................... 04/03/2020
2.5.2 Pre-Proposal Meeting .......................................................................................... N/A
2.5.3 RFQ Submittal Questions Deadline (12:00 p.m.) ............................................... 04/17/2020
2.5.4 Owner receives Qualifications ............................................................................. 05/01/2020
2.5.5 Owner announces “short list” of firms selected for interviews, if required ........ 05/15/2020
2.5.6 Owner interviews short list of firms ..................................................................... 05/27/2020
2.5.7 Owner selects most qualified Respondent ............................................................ 05/28/2020
2.5.8 Owner selects Construction Manager at Risk (CMR) ......................................... 06/26/2020
2.5.9 Owner negotiates fee and executes Agreement .................................................. 07/16/2020
2.5.10 Schematic Design begins .................................................................................. 07/17/2020
2.5.11 Owner Executes CMR Agreement ....................................................................... 07/29/2020
2.5.12 Notice to Proceed for Pre-Construction Services .............................................. 08/05/2020
2.5.13 A/E completes Schematic Design ..................................................................... 09/09/2020
2.5.14 Design Development begins ............................................................................. 09/10/2020
2.5.15 A/E completes Design Development (DD) Binder for Board of Regents ...... 10/19/2020
2.5.16 Board of Regents Approval of DD Binder ......................................................... 11/19/2020
2.5.17 Owner Approves GMP ...................................................................................... 01/22/2021
2.5.18 Notice to Proceed is issued and Construction begins ..................................... 01/23/2021
2.5.19 A/E completes Construction Documents ......................................................... 04/14/2021
2.5.20 Owner accepts Substantial Completion of Construction ................................. 10/28/2021
2.5.21 Furniture and Special Equipment Move-In Complete .................................... 01/12/2022
2.5.22 Final Completion ............................................................................................... 01/12/2022
2.5.23 Occupancy ........................................................................................................ 01/13/2022

The schedule of events presented above represent a basic timeline for the project. A final project timeline will be developed with the Owner at a later time. The Owner can be expected to work with the A/E and the CMR to validate and improve on this initial schedule.

**SECTION 3 – REQUIREMENTS FOR STATEMENT OF QUALIFICATIONS**

Respondents shall carefully read the information contained in the following criteria and submit a complete statement of Qualifications responding to all questions in Section 3 formatted as directed in Section 4. Incomplete Qualifications will be considered non-responsive and are subject to rejection.

3.1 **CRITERION ONE: RESPONDENT’S STATEMENT OF QUALIFICATIONS AND AVAILABILITY TO UNDERTAKE THE PROJECT** (Maximum of two (2) printed pages per question)

3.1.1 Provide a statement of interest for the Project including a narrative describing the Respondent’s unique qualifications as they pertain to this particular Project.

3.1.2 Provide a statement on the availability and commitment of the Respondent and its principal(s) and assigned professionals, including all consultants to undertake the Project.
3.1.3 Provide a brief history of the Respondent’s firm and each consultant proposed for the Project.

3.1.4 Provide a graphic representation of the project team, identifying the Respondent and any consultant proposed for the Project. The graphic representation shall depict current workloads and commitments for other projects for the Respondent and its consultants as well as the time resource and commitment for the Respondent and its consultants for this Project, for the timeline noted in Section 2.5.

3.2 CRITERION TWO: RESPONDENT’S ABILITY TO PROVIDE SERVICES

3.2.1 Provide the following information for the Respondent:

3.2.1.1 Legal name of the company as registered with the Secretary State of Texas
3.2.1.2 Address of the office that will be providing services
3.2.1.3 Number of years in business
3.2.1.4 Type of operation (Individual, Partnership, Corporation, Joint Venture, etc.)
3.2.1.5 Number of employees by skill group
3.2.1.6 Annual revenue totals for the past ten (10) years

3.2.2 Identify if the Respondent’s firm or any of its consultant team is currently for sale or involved in any transaction to expand or to become acquired by another business entity. If yes, please explain the impact both in organizational and directional terms.

3.2.3 Provide any details of all past or pending litigation or claims filed against the Respondent’s firm or any of its consultant team that would affect Respondent’s performance under a contract with the Owner.

3.2.4 Identify if the Respondent is currently in default on any loan agreement or financing agreement with any bank, financial institution, or other entity. If yes, specify date(s), details, circumstances, and prospects for resolution.

3.2.5 Declare if any relationship exists by relative, business associate, capital funding agreement, or any other such kinship, between Respondent’s firm or any of its consultants and any Owner employee, officer or Regent. If so, please explain.

3.2.6 Provide a claims history under professional malpractice insurance for the past five (5) years for the Respondent’s firm and any team members proposed to provide professional architectural or engineering services.

3.3 CRITERION THREE: PROJECT TEAM’S ABILITY TO PROVIDE DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES

3.3.1 Describe, in graphic and written form, the proposed Project assignments and lines of authority and communication for principals and key professional members of each consultant that will be involved in the Project. Indicate the estimated percent of time these individuals will be involved in the Project for design and construction.

3.3.2 Provide resumes giving the experience and expertise of the professional members for each consultant that will be involved in the Project, including their experience with similar projects, the number of years with the firm, and their city of residence.
Clearly identify the members of the proposed team who worked on the listed projects in Criterion 3.4 and describe their roles in those projects.

Describe the basis for the selection of the proposed sub-consultants included in the design team and the role each will play for this Project.

Describe the Respondent’s process in working with consultants and integrating them into the design process.

Describe how the Respondent and any consultants will provide services during the construction administration process.

Identify the Respondent’s past experience with any proposed consultants in the past five (5) years.

Provide representative projects of the proposed consultants in higher education Construction Manager-at-Risk (“CMR”) delivery method and how they will be beneficial to the delivery of this Project.

3.4 CRITERION FOUR: RESPONDENT’S PERFORMANCE ON PAST REPRESENTATIVE PROJECTS

List a maximum of five (5) projects for which Respondent has provided services that are most directly related to this Project. List the projects in order of priority, with the most relevant project listed first and which best illustrate current experience and capabilities relevant to this project. Provide the following information for each project listed:

1. Project name, location, contract delivery method, and description
2. Color images (photographic or machine reproductions)
3. Final Construction Cost, including Change Orders
4. Final project size in gross square feet
5. Type of construction (new, renovation, or expansion)
6. Actual start and finish dates for design
7. Planned versus actual dates for Schematic Design, Design Development and ninety five percent (95%) Construction Documents. Provide an explanatory justification for any slippage of dates exceeding fifteen (15) calendar days between planned and actual for each milestone.
8. Actual Notice to Proceed and Substantial Completion dates for construction
9. Description of professional services Respondent provided for the project
10. Name of project manager (individual responsible to the owner for the overall success of the project)
11. Name of project architect (individual responsible for coordinating the day to day work)
12. Name of project designer (individual responsible for design concepts)
13. Consultants
14. Name of project manager for each consultant. Identification of proposed personnel involved in the submitted project along with explanations of their role in previous project(s).
15. Schedule Data (any unusual events or occurrences that affected the schedule should be explained).

References (for each project listed above, identify the following):
3.4.2.1 The owner’s name and representative who served as the day-to-day liaison during the design and construction phases of the project, including telephone number and email address.

3.4.2.2 Contractor’s name and representative who served as the day-to-day liaison during the preconstruction and/or construction phase of the project, including telephone number and email address.

3.4.2.3 Length of business relationship with the owner.

References shall be considered relevant based on specific project participation and experience with the Respondent. The Owner reserves the right to contact any other references at any time during the RFQ process.

3.4.3 Relevant experience and capabilities will be judged through a review of both completed and ongoing projects; however, greater consideration will be given to completed projects. The key areas of interest for which project data and photographs should be submitted should be projects including those facilities described in this RFQ above.

3.4.4 Explain how well your proposed team has performed on past projects which have included significant involvement from faculty and staff, and an interactive decision-making process.

3.4.5 Briefly describe up to five (5) other projects, which further illustrates experience and capabilities relevant to this proposed project.

3.4.6 State why you believe your team to be qualified to skillfully address the issues that you feel will be relevant to this project.

3.5 CRITERION FIVE: RESPONDENT’S KNOWLEDGE OF BEST PRACTICES

3.5.1 Describe the Respondent’s design philosophy, design methodology, and its process for integrating institutional standards into the design.

3.5.2 Describe the Respondent’s quality assurance program explaining the method used and how Respondent maintains quality control during the development of construction documents and quality assurance during the construction phase of a project. Provide specific examples of how these techniques or procedures were used for any combination of three (3) projects listed in response to Criterion 3.4.

3.5.3 Describe Respondent’s demonstrated technical competence and management qualifications with institutional projects, particularly those for higher education.

3.5.4 Describe Respondent’s experience working with the CMR project delivery method. Discuss Respondent’s method of working with the contractor as a team member to deliver a Guaranteed Maximum Price (“GMP”) and to maintain the GMP throughout the design and construction process.

3.5.5 Describe Respondent’s cost estimating methods for the design and construction phases. Explain how cost estimates developed and how often are they updated. For any combination of three (3) projects listed in response to Criterion 3.4, provide examples of how these techniques were used and what degree of accuracy was achieved.
3.5.6 Describe the way in which Respondent develops and maintains work schedules to coordinate with the owner’s project schedule. For any combination of three (3) projects listed in response to Criterion 3.4, provide examples of how these techniques were used.

3.5.7 Describe the Respondent’s experience in managing the impact of mechanical, electrical, and plumbing systems on renovation buildings.

3.5.8 Describe the Respondent’s approach to assuring timely completion of this Project, including methods for schedule recovery if necessary.

3.6 CRITERION SIX: RESPONDENT’S ABILITY TO IDENTIFY AND RESOLVE PROBLEMS ON PAST PROJECTS

3.6.1 Describe what Respondent perceives as the critical issues for this Project. State briefly what Respondent believes to be the most pertinent considerations and challenges that must be addressed in the design of a project of this type. Respondent may wish to include sketches, diagrams, analyses or other tools from similar projects that help illustrate Respondent’s points. This is **not** an opportunity for the Respondent to present design solutions.

3.6.2 Provide an analysis of the Owner’s Project Planning Schedule and describe how Respondent plans to develop and communicate design, scope, and budget options in a manner that will help the Owner make timely and informed decisions.

3.6.3 Describe the Respondent’s experience with renovation/expansion projects in occupied facilities.

3.6.4 Provide examples of how the Respondent has creatively incorporated mechanical, electrical, and plumbing solutions in similar structures.

3.6.5 State why Respondent believes its team to be qualified to skillfully address the issues that Respondent believes will be relevant to this Project.

3.6.6 Explain Respondent’s organizational process for coordinating and conducting construction administration of similar type projects.

3.6.7 Explain how well Respondent’s proposed team has performed on past projects which have included significant involvement from faculty and staff, and an interactive decision-making process.

3.7 CRITERION SEVEN: RESPONDENT’S UNDERSTANDING OF AND EXPERIENCE WITH BUILDING INFORMATION MODELING (BIM)

3.7.1 Describe your Project Team’s experience managing and facilitating BIM use on projects, especially similar projects and especially involving CM@R delivery method.

3.7.2 Show BIM experience on the resumes of your Team members.

3.7.2.1 Identify any BIM Consultants and describe their roles and Project-related experience. Provide a list of projects where consultants previously worked with Respondent in roles similar to what is currently being proposed.

3.7.2.2 Provide the skills and qualifications of your BIM Manager and BIM team.
3.7.3 Describe any BIM-based efficiencies the team has provided on past projects that align with the Owner’s interest in energy savings, cost and schedule. Evaluators will be looking particularly for support for the following services (You need not specifically address these item by item. Describe what you perceive as critical BIM issues and opportunities for this project and highlight items you think address these.):

a. Pre-Construction Services
b. Design management and coordination
c. Design assistance
d. Fabrication modeling for streamlining the submittal process
e. Design review and quality assurance
f. BIM-based analysis
g. BIM-based estimating
h. Owner decision support
i. Construction scheduling
j. Constructability modeling
k. Construction coordination
l. COBIE and commissioning data
m. Any additional BIM capabilities and experiences that could help this project

3.7.4 Describe how you can use BIM on this Project to:

a. Support better cost control assurance targeting a contractual Construction Cost Limitation (Target Guaranteed Maximum Price)
b. Reduce buy-out cost risks while tightening CM Risk Contingencies needed within a Guaranteed Maximum Price

3.8 CRITERION EIGHT: EXECUTION OF OFFER

NOTE TO RESPONDENTS: SUBMIT ENTIRE SECTION WITH RESPONSE

THIS EXECUTION OF OFFER MUST BE COMPLETED, SIGNED, AND RETURNED WITH THE RESPONDENT'S QUALIFICATIONS. FAILURE TO COMPLETE, SIGN AND RETURN THIS EXECUTION OF OFFER WITH THE QUALIFICATIONS MAY RESULT IN REJECTION OF THE QUALIFICATIONS.

SIGNING A FALSE STATEMENT MAY VOID THE SUBMITTED QUALIFICATIONS OR ANY AGREEMENTS OR OTHER CONTRACTUAL ARRANGEMENTS, WHICH MAY RESULT FROM THE SUBMISSION OF RESPONDENT’S QUALIFICATIONS, AND THE RESPONDENT MAY BE REMOVED FROM ALL PROPOSER LISTS. A FALSE CERTIFICATION SHALL BE DEEMED A MATERIAL BREACH OF CONTRACT AND, AT OWNER'S OPTION, MAY RESULT IN TERMINATION OF ANY RESULTING CONTRACT OR PURCHASE ORDER.

3.8.1 By signature hereon, Respondent acknowledges and agrees that (1) this RFQ is a solicitation for Qualifications and is not a contract or an offer to contract; (2) the submission of Qualifications by Respondent in response to this RFQ will not create a contract between the Owner and Respondent; (3) the Owner has made no representation or warranty, written or oral, that one or more contracts with the Owner will be awarded under this RFQ; and (4) Respondent shall bear, as its sole risk and responsibility, any cost which arises from Respondent's preparation of a response to this RFQ.
3.8.2 By signature hereon, Respondent offers and agrees to furnish to the Owner the products and/or services more particularly described in its Qualifications, and to comply with all terms, conditions and requirements set forth in the RFQ documents and contained herein.

3.8.3 By signature hereon, Respondent affirms that it has not given, nor intends to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor or service to a public servant in connection with the submitted Qualifications.

3.8.4 By signature hereon, a corporate Respondent certifies that it is not currently delinquent in the payment of any Franchise Taxes due under Chapter 171, Texas Tax Code, or that the corporate Respondent is exempt from the payment of such taxes, or that the corporate Respondent is an out-of-state corporation that is not subject to the Texas Franchise Tax, whichever is applicable.

3.8.5 By signature hereon, the Respondent hereby certifies that neither the Respondent nor the firm, corporation, partnership or owner represented by the Respondent, nor anyone acting for such firm, corporation, or institution has violated the antitrust laws of this state, codified in Section 15.01, ET. seq., Texas Business and Commerce Code, or the Federal antitrust laws. Respondent further certifies that it has not communicated directly or indirectly the Qualifications submitted to any competitor or any other person engaged in a similar line of business.

3.8.6 By signature hereon, Respondent represents and warrants that:

3.8.6.1 Respondent is a reputable company regularly engaged in providing products and/or services necessary to meet the terms, conditions and requirements of the RFQ;

3.8.6.2 Respondent has the necessary experience, knowledge, abilities, skills, and resources to satisfactorily perform the terms, conditions and requirements of the RFQ;

3.8.6.3 Respondent is aware of, is fully informed about, and is in full compliance with all applicable federal, state and local laws, rules, regulations and ordinances;

3.8.6.4 Respondent, if selected by the Owner, will maintain insurance as required by the contract;

3.8.6.5 All statements, information and representations prepared and submitted in response to this RFQ are current, complete, true and accurate. Respondent acknowledges that the Owner will rely on such statements, information and representations in selecting the successful Respondent. If selected by the Owner as the successful Respondent, Respondent will notify the Owner immediately of any material change in any matters with regard to which Respondent has made a statement or representation or provided information.

3.8.7 By signature hereon, Respondent certifies that the individual signing this document and the documents made part of the RFQ is authorized to sign such documents on behalf of the company and to bind the company under any agreements or other contractual arrangements, which may result from the submission of Respondent’s Qualifications.
3.8.8 By signature hereon, Respondent certifies that if a Texas address is shown as the address of the Respondent, Respondent qualifies as a Texas Resident bidder as defined in Texas Government Code Section 2252.001(4).

3.8.9 By signature hereon, Respondent certifies as follows:

3.8.9.1 “Under Section 231.006, Texas Family Code, the vendor or applicant certifies that the individual or business entity named in this contract, bid, or application is not ineligible to receive the specified grant, loan, or payment and acknowledges that this contract may be terminated and payment may be withheld if this certification is inaccurate.”

3.8.9.2 “Under Section 2155.004, Texas Government Code, the vendor or applicant certifies that the individual or business entity named in this bid or contract is not ineligible to receive the specified contract and acknowledges that this contract may be terminated and payment withheld if this certification is inaccurate.”

3.8.9.3 Under Section 2254.004, Texas Government Code, the vendor or applicant certifies that each individual or business entity which is an engineer or architect proposed by Respondent as a member of its team was selected based on “demonstrated competence and qualifications” only.

3.8.10 By signature hereon, Respondent certifies that no relationship, whether by relative, business associate, capital funding agreement or by any other such kinship exist between Respondent and an employee of Owner and any component, or Respondent has not been an employee of Owner or any component within the immediate twelve (12) months prior to Respondent’s RFQ response. All such disclosures will be subject to administrative review and approval prior to the Owner entering into any contract with Respondent.

3.8.11 By signature hereon, Respondent affirms that no compensation has been received for participation in the preparation of the specifications for this RFQ. (ref. Section 2155.004 Texas Government Code).

3.8.12 Respondent represents and warrants that all articles and services quoted in response to this RFQ meet or exceed the safety standards established and promulgated under the Federal Occupational Safety and Health Law (Public Law 91-596) and its regulations in effect or proposed as of the date of this solicitation.

3.8.13 By signature hereon, Respondent signifies his compliance with all federal laws and regulations pertaining to Equal Employment Opportunities and Affirmative Action.

3.8.14 By signature hereon, Respondent agrees, to the extent provided by Section 2254.0031 of Texas Government Code, to defend, indemnify, and hold harmless the State of Texas, all of its officers, agents and employees from and against all claims, actions, suits, demands, proceedings, costs, damages, and liabilities, arising out of, connected with, or resulting from any acts or omissions of Respondent or any agent, employee, subcontractor, or supplier of Respondent in the execution or performance of any agreements or other contractual arrangements which may result from the submission of Respondent’s Qualifications.

3.8.15 By signature hereon, Respondent agrees to complete a Cybersecurity Training Program. Pursuant to Section 2054.5192, Texas Government Code, Respondent and its
subcontractors, officers, and employees, who have access to Owner’s computer system, must complete a cybersecurity training program certified under Section 2054.519, *Texas Government Code* as selected by the Owner. The cybersecurity training program must be completed by Respondents and its subcontractors, officers, and employees, who have access to Owner’s computer system, during the term and any renewal period of this Agreement. Respondent shall verify in writing completion of the program to the Owner within the first thirty (30) calendar days of the term and any renewal period of the Contract.

3.8.16 By signature hereon, Respondent agrees that any payments that may become due under any agreements or other contractual arrangements, which may result from the submission of Respondent’s Qualifications, will be applied towards any debt including, but not limited to, delinquent taxes and child support that is owed to the State of Texas.

3.8.17 By signature hereon, Respondent certifies that no member of the Board of Regents of the Texas State University System, or the executive officers of the Owner or its component institutions, has a financial interest, directly or indirectly, in the transaction that is the subject of the contract, and that no member of the Board of Regents has a “substantial interest” (as that term is defined in Section 51.923 of the *Texas Education Code*) in the Respondent.

The Respondent must complete, sign and return this Execution of Offer as part of its submittal response. The Respondent’s company official(s) who are authorized to commit to such a submittal must sign submittals. Failure to sign and return this form will subject the submittal to disqualification.

Respondent’s Name: ____________________________

(Company Name)

Respondent’s State of Texas Tax Account No: ____________________________

(This 11 digit number is mandatory)

If a Corporation:

Respondent’s State of Incorporation: ____________________________

Respondent’s Charter No: ____________________________

Identify by name, each person who owns at least 10% of the Respondent’s business entity:

(Name)

(Name)

(Name)

(Name)

Submitted and Certified By:

(Respondent’s Name) ____________________________

(Title)

(Street Address) ____________________________

(Telephone Number)

(City, State, Zip Code) ____________________________

(Fax Number)

(Authorized Signature) ____________________________

(Email Address) for RFQ Notification

(Date)

Respondent acknowledges receipt of the following Addenda:

No. 1______; No. 2______; No. 3______; No. 4______; No. 5______; No. 6______
SECTION 4 – FORMAT FOR STATEMENT OF QUALIFICATIONS

4.1 GENERAL INSTRUCTIONS

4.1.1 Qualifications shall be prepared SIMPLY AND ECONOMICALLY, providing a straightforward, CONCISE description of the respondent's ability to meet the requirements of this RFQ. Emphasis shall be on the QUALITY, completeness, clarity of content, responsiveness to the requirements, and an understanding of Owner's needs.

4.1.2 The statement of Qualifications shall be a MAXIMUM OF 50 PRINTED PAGES and could be entirely adequate with considerably fewer pages. The cover, table of contents, divider sheets, HSP, and Execution of Offer do not count as printed pages.

4.1.3 Respondents shall carefully read the information contained in this RFQ and submit a complete response to all requirements and questions as directed. Incomplete Qualifications will be considered non-responsive and subject to rejection.

4.1.4 Qualifications and any other information submitted by respondents in response to this RFQ shall become the property of the Owner.

4.1.5 The Owner will not compensate respondents for any expenses incurred in Qualifications preparation or for any presentations that may be made, unless agreed to in writing in advance or required by law. Respondents submit Qualifications at their own risk and expense.

4.1.6 Qualifications that are qualified with conditional clauses, alterations, items not called for in the RFQ documents, or irregularities of any kind are subject to rejection by the Owner, at its option.

4.1.7 The Owner makes no representations of any kind that an award will be made as a result of this RFQ. The Owner reserves the right to accept or reject any or all Qualifications, waive any formalities or minor technical inconsistencies, or delete any item/requirements from this RFQ when deemed to be in Owner's best interest.

4.1.8 Qualifications shall consist of answers to questions identified in Section 3 of the RFQ. It is not necessary to repeat the question in the Qualifications; however, it is essential to reference the question number with the corresponding answer.

4.1.9 Failure to comply with all requirements contained in this RFQ may result in the rejection of the Qualifications.

4.2 PAGE SIZE, BINDING, DIVIDERS, AND TABS:

4.2.1 Qualifications shall be printed on letter-size (8-1/2” x 11”) paper and assembled with spiral-type bindings or staples. DO NOT USE METAL-RING HARD COVER BINDERS.

4.2.2 Additional attachments shall NOT be included with the Qualifications. Only the responses provided by the respondent to the questions identified in Section 3 of this RFQ will be used by the Owner for evaluation.

4.2.3 Separate and identify the response to each of the criteria in Section 3 of this RFQ by use of a divider sheet with an integral tab for ready reference.
4.3 **TABLE OF CONTENTS:**

4.3.1 Submittals shall include a “Table of Contents” and give page numbers for each part of the Qualifications.

4.4 **PAGINATION:**

4.4.1 Number all pages of the submittal sequentially using Arabic numerals (1, 2, 3, etc.); the Respondent is not required to number the pages of any HSP.

**END OF REQUEST FOR QUALIFICATIONS**
REQUEST FOR QUALIFICATIONS
FOR
ARCHITECT/ENGINEER
PROFESSIONAL SERVICES
FOR
TEXAS STATE UNIVERSITY
SAN MARCOS, TEXAS

AQUA SPORTS CENTER RENOVATION

RFQ No.: 758-20-09091

Notice To All Respondents:
The following is Addendum No. 1 to the Request for Qualifications (RFQ) ESBD Posting No. 758-20-09091 was posted on April 3, 2020

Prepared By:
Peter Maass, Director of Capital Projects Administration
The Texas State University System
601 Colorado Street
Austin, TX 78701 - 512-463-1808
Peter.Maass@tsus.edu
I. **GENERAL:**

A. Below are the Questions that were presented along with Answers to each in relation to this RFQ as of April 17, 2020:

1. **Question:** There was mention that all existing RFQ would be put on hold due to current circumstances, please advise.  
   **Answer:** This RFQ is moving forward as scheduled.

2. **Question:** Based on the current Covid-19 pandemic and having limited access to printing services, would we be able to submit an electronic version of the RFQ?  
   **Answer:** Please continue to follow the RFQ’s directions. Sealed responses are due prior to 2:00 pm CDT on Friday, May 1, 2020 at the Texas State University Facilities Planning Design & Construction Office located in the Physical Plant Building, as stated in Section 1.5.2 of the RFQ.

3. **Question:** After reviewing the above referenced RFQ there are 2 Forms that should be completed The HSP and the Execution of Offer. Is there or will there be additional forms required for proposal purposes? (ie: Israel Boycott, CIQ etc.)  
   **Answer:** Please complete the two forms as indicated in the RFQ. As part of the response to the RFQ, Respondent shall consider the following:

   Pursuant to Section 2270.002 of the *Texas Government Code*, Respondent certifies that either (i) it meets an exemption criterion under Section 2270.002; or (ii) it does not boycott Israel and will not boycott Israel during the term of the contract resulting from this solicitation.

   Respondent shall state any facts that make it exempt from the boycott certification in its Response, under (i). No response is required under (ii).

4. **Question:** As we are closely following recommended CDC guidelines and shelter-in-place orders, would you still like the SOQs to be mailed as instructed under the Submission of Qualifications section?  
   **Answer:** See answer to question #2.

5. **Question:** With many firms working from home due to Covid-19, printing hard copies of this submittal will be an issue. Can the University considered making this an electronic submittal?  
   **Answer:** See answer to question #2.

6. **Question:** Will Texas State University accept online responses to RFQ 758-20-09091 (Aqua Sports Center Renovation), given the ongoing COVID-19 Pandemic?  
   **Answer:** See answer to question #2.

7. **Question:** Criterion 7 – Respondent’s Understanding of and Experience with BIM. This section seems to be directed toward a CMAR, rather than an architectural/engineering firm. Is this required in this submittal for A/E services?  
   **Answer:** Yes.

8. **Question:** The RFQ requires hard copies of the submittal – in light of the current situation, are hard copies still required?  
   **Answer:** See answer to question #2.
9. **Question**: 3.4.4. and 3.6.7. are repeated questions. Are both required?
   **Answer**: Please provide answers to both 3.4.4 and 3.6.7. Note that Criterion 4 relates to past representative projects while Criterion 6 relates to any past project.

10. **Question**: 3.4.6. and 3.6.5. are repeated questions. Are both required?
    **Answer**: Please provide answers to both 3.4.6 and 3.6.5. Note that Criterion 4 relates to past representative projects while Criterion 6 relates to any past project.

11. **Question**: Are Landscape services required under scope and budget?
    **Answer**: Yes.

12. **Question**: Are Civil Engineering services required under scope and budget?
    **Answer**: Yes.

13. **Question**: Are any provisions included for new windows added to building?
    **Answer**: Yes.

14. **Question**: 3.4.4 Explain how well your proposed team has performed on past projects which have included significant involvement from faculty and staff, and an interactive decision-making process. 3.6.7 Explain how well Respondent's proposed team has performed on past projects which have included significant involvement from faculty and staff, and an interactive decision-making process.
    **Answer**: See answer to question #9.

15. **Question**: 3.4.6 State why you believe your team to be qualified to skillfully address the issues that you feel will be relevant to this project. 3.6.5 State why Respondent believes its team to be qualified to skillfully address the issues that Respondent believes will be relevant to this Project.
    **Answer**: See answer to question #10.

16. **Question**: Criterion Six asks for detailed information about pertinent design topics, but the condition and configuration of the building are not clear from online resources, and visiting is not possible with COVID-19. Are as-built drawings available, and how soon can they be provided?
    **Answer**: No.

17. **Question**: Can you provide plan diagrams indicating which portions of the building will be renovated and which will not?
    **Answer**: No.

18. **Question**: There is a question about experience working on occupied buildings. What parts of the building will continue to be occupied during construction, and where are they located?
    **Answer**: None.

19. **Question**: Will the scope of work include any site work (civil, landscape, traffic and/or parking lots, etc.)?
    **Answer**: Yes.

20. **Question**: In light of COVID-19 practices, will firms be allowed to submit responses digitally or will hardcopies still be expected?
    **Answer**: See answer to question #2.
21. **Question**: Would you confirm that the project and the RFQ procurement process will proceed on schedule as outlined in the RFQ, or is there a possibility it will be placed on hold due to economic effect of COVID-19?

**Answer**: See answer to question #1.

22. **Question**: Is Texas State’s HUB goal 23.7% for Professional Services?

**Answer**: Yes.

23. **Question**: Are there any LEED or other sustainability requirements for this project?

**Answer**: As required by law, the successful Respondent engaged to provide professional services for this project will be required to verify the economic feasibility of incorporating into the project’s design any proposed energy system alternative energy devices for space heating and cooling functions, water heating functions, electrical load functions, and interior lighting functions, with a comparison of the estimated cost of providing energy for each function through conventional systems with the estimated cost of providing energy for each function based on the base of alternative energy devices, over the projected economic life of the building, and to meet State Energy Conservation Office standards.

24. **Question**: Based on the equipment lists within the Programming document, it appears the broadcast and film equipment will be furnished and installed by Texas State. Will the Texas State be providing the studio and control room equipment layouts and projected loads during the design and construction documents?

**Answer**: Yes.

25. **Question**: Since the Texas State is providing the broadcast and film equipment, will you be preparing and installing your own cabling infrastructure?

**Answer**: No.

26. **Question**: The film stage and the TV studio both have lighting grids. The equipment list shows one as CFCI and the other is listed as from Alkek? Will the design team be responsible for detailing and specifying both lighting grids?

**Answer**: Yes.

27. **Question**: Given the current conditions, can you waive the requirement for an original signature on the Execution of Offer (1.5.4)? We would like to use a scanned signature instead.

**Answer**: Yes, a scanned signature or Adobe signature can be used in lieu of an original signature.

- END OF ADDENDUM NO. 1 -