



**TEXAS A&M UNIVERSITY-CORPUS CHRISTI**

PURCHASING DEPARTMENT

6300 OCEAN DRIVE

CORPUS CHRISTI, TX 78412

**RFQ Number:**

**RFQ4-0001**

**ON-GOING PROFESSIONAL SERVICES for VARIOUS PROJECTS IN  
SUPPORT OF COASTAL FACILITIES INCLUDING TEXAS &M  
CORPUS CHRISTI**

**Addendum # 2**

Revisions to the Request for Qualification are attached and incorporated into this Addendum. These revisions include addition, deletions, modifications, or clarifications to the original requirements. The revised requirements should be considered incorporated as part of this RFQ.

1. Some typographical errors were noted in the RFQ. The prior RFQ4-0001 and Attachment A should be struck and replaced in whole by the attached revised RFQ4-0001 and Attachment A. The entire RFQ will consist of the attached RFQ4-001 and Attachment A, plus Attachment B previously submitted on Addendum 1.

This document and attachments shall be attached to and become a part of the contract documents for this project. This addendum shall be signed for acknowledgement that you have received Addendum #2 and shall be returned with your proposal.

COMPANY NAME: \_\_\_\_\_

STREET ADDRESS: \_\_\_\_\_

CITY/STATE: \_\_\_\_\_

TELEPHONE AND FAX: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_



# **TEXAS A&M UNIVERSITY-CORPUS CHRISTI**

**PURCHASING DEPARTMENT**  
6300 OCEAN DRIVE  
CORPUS CHRISTI, TX 78412

## **REQUEST FOR QUALIFICATIONS**

RFQ Number:  
**RFQ4-0001**

### **ON-GOING PROFESSIONAL SERVICES for VARIOUS PROJECTS IN SUPPORT OF COASTAL FACILITIES INCLUDING TEXAS A&M CORPUS CHRISTI**

**PROPOSAL MUST BE RECEIVED BEFORE:**

***2:00 p.m. Central Time on January 19, 2024***

**MAIL PROPOSAL TO:**

**Texas A&M University-Corpus Christi**  
Purchasing Department  
6300 Ocean Drive Unit 5731  
Corpus Christi TX 78412-5731

**HAND DELIVER AND/OR  
EXPRESS MAIL TO:**

**Texas A&M University-Corpus Christi**  
Purchasing Building  
6300 Ocean Drive Room 115A  
Corpus Christi TX 78412

**Show RFQ Number, Opening Date and Time on Return Envelope**

**NOTE:** PROPOSAL must be time stamped at **Texas A&M University-Corpus Christi Purchasing Department** before the hour and date specified for receipt of proposal.

Pursuant to the Provisions of Texas Government Code Title 10 Subtitle D Chapter 2156.121 - 2156.127, General Services Act rules and regulations adopted there under, sealed proposals will be received until the date and time established for receipt. After receipt, only the names of proposers will be made public. Prices and other proposal details will only be divulged after the award, if one is made.

**DATED: December 18, 2023**

**REFER INQUIRIES TO:**

Will Hobart, Director of Procurement  
Texas A&M University-Corpus Christi  
Purchasing Department  
361-825-2616  
Email: will.hobart@tamucc.edu

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## SECTION 1

### NOTICE TO RESPONDENTS

#### 1.1 General Information

The Texas A&M University-Corpus Christi (TAMU-CC) on behalf of the Board of Regents of The Texas A&M University System (Owner) are soliciting statements of qualifications for selection of Professional Services Firms for timely, cost effective project in accordance with the terms, conditions, and requirements set forth in this Request for Qualifications (RFQ).

This RFQ is the first step in the process for selecting an A/E firm. The RFQ provides the information necessary to prepare and submit Qualifications for consideration by the Owner. The Owner may select the top three (3) or more of the top ranked qualified respondents to present their qualifications during an interview.

#### 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 a contract is executed. The Owner strictly complies with all statutes, court decisions, and opinions of the Texas Attorney General with respect to disclosure of RFQ information.

Information in any tangible form which is submitted by respondents will be treated as confidential **until such time as a contract is executed**. After that time, the information may be disclosed to requestors under the Texas Public Information Act, Chapter 552, Texas Government Code. If a respondent believes all or a portion of the information submitted is proprietary and confidential and should therefore be exempt from disclosure, they must clearly designate the specific item(s) and the proper statutory citation must be provided in each instance.

Further, Respondents are hereby notified that the Owner will be required to post any resultant contract from this RFQ on the Internet website of Owner pursuant to Texas Government Code, Section 2261.253 (a)(1).

#### 1.3 Type of Contract

Any contract resulting from this solicitation will be in the form of the Owner's Standard A/E Agreement.

#### 1.4 Clarifications and Interpretations

Any clarifications or interpretations of this RFQ that materially affect or change its requirements will be posted by the Owner as an addendum on the Owner's website, <http://purchasing.tamucc.edu/>. All such addenda issued by the Owner before the proposals are due shall become a part of the RFQ, and respondents shall acknowledge receipt of and incorporate each addendum in its response.

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.

## **1.5 Submission of Qualifications**

1.5.1 Deadline: January 19, 2024 at 2:00 p.m.

Proposals shall be submitted to TAMU-CC by one of the following methods:

<b>U.S. POSTAL SERVICE AND/OR OVERNIGHT EXPRESS MAIL</b>	<b>HAND DELIVER TO:</b>
<b>Texas A&amp;M University-Corpus Christi Purchasing Department</b> 6300 Ocean Drive, Unit 5731 Corpus Christi, TX 78412-5731	<b>Texas A&amp;M University-Corpus Christi Purchasing Building</b> 6300 Ocean Drive, Room 115A Corpus Christi, TX 78412-5731 <b>Hours: Monday-Friday prior to 5pm</b>

1.5.2 TAMU-CC will not accept submittals after the deadline.

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

1.5.4 Properly submitted Qualifications will not be returned to respondents.

## **1.6 Contacts**

Any questions regarding this RFQ shall be directed to:

Will Hobart, Director of Procurement & Disbursements  
Texas A&M University-Corpus Christi  
Purchasing Department  
6300 Ocean Drive, Unit 5731  
Corpus Christi, Texas 78412-5731  
Phone: 361-825-2616  
e-mail: [will.hobart@tamucc.edu](mailto:will.hobart@tamucc.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 the Owner. Qualifications shall not include any information regarding respondent's fees, pricing, or other compensation.

## **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 proposals 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.

### **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 Historically Underutilized Businesses’ Submittal Requirements**

It is the policy of the State of TAMU-CC to encourage the use of Historically Underutilized Businesses (HUBs) in our prime contracts, subcontractors, and purchasing transactions. The goal of the HUB program is to promote equal access and equal opportunity in TAMU-CC contracting and purchasing.

**Subcontracting opportunities are anticipated for this RFQ for Architect/Engineer Professional Services and therefore a HUB Subcontracting Plan (HSP) is required. Failure to submit a comprehensive, acceptable HUB Subcontracting Plan that identifies ALL subcontracting opportunities will be considered a material failure to comply with the requirements of the RFQ and will result in rejection of the submittal.**

Prepare the HUB Subcontracting Plan according to Attachment A at the end of this document and submit with Respondent’s proposal by the submittal deadline given in Section 1.5.1 above.

For information regarding TAMU-CC HUB Program and HUB Subcontracting requirements, please contact Mr. Ruben Gonzalez, HUB Coordinator, Procurement & Disbursements, [ruben.gonzalez@tamucc.edu](mailto:ruben.gonzalez@tamucc.edu), (361) 825-5822. **We encourage all respondents to submit a draft HUB Plan to the email address listed herein for our review at least two days prior to the due date.**

### **1.12 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. 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.

**1.13 Required Notices of Workers' Compensation Insurance Coverage**

Section 406.096, Texas Labor Code, and the rules of the Texas Workers' Compensation Commission, require workers' compensation insurance coverage for all persons providing services on a building or construction project for a governmental entity.

**1.14 State Registration of Engineering Firms**

Section 1001.405, Texas Occupations Code, provides that a business entity may not engage in the practice of engineering in this state unless the business entity is registered with the Texas Board of Professional Engineers. A business is defined as a sole proprietorship, firm, partnership, corporation or joint stock association.

**1.15 State Registration of Architectural Firms**

Section 1051, Texas Occupations Code, provides that a business entity may not engage in the practice of architecture in this state unless the business entity is registered with the Texas Board of Architectural Examiners. A business is defined as a sole proprietorship, firm, partnership, corporation or joint stock association.

## SECTION 2

### EXECUTIVE SUMMARY

#### 2.1 Project Description, Scope and Budget

The intention of this RFQ is to qualify firms to be included in a pool for the services defined in this RFQ. In order to provide timely and cost-effective design and other specialized services for the TAMUCC facilities, it is the intent of the TAMUCC to establish a master services agreement (“Agreement”) with one or more Respondents to meet the needs of TAMUCC Administrative Operations. Any resultant Agreement will be between the selected Respondents and the TAMUCC. Execution of an Agreement as a result of this RFQ does not guarantee utilization of any awarded Respondent. Contracts for assignment work will be executed using individual “Project Assignments”. There is no guarantee that any SPECIFIC MINIMUM DOLLAR amount of fees will be awarded.

The initial term of the Master Agreements shall be one year. Upon mutual consent, the Master Agreements may be extended for up to five (5) additional one (1) year renewals under the same general terms and conditions with any added modifications due to codes, software versions, firms revised hourly rate schedule as may be approved, new University policies, etc.

The award of individual project assignments shall be based on the expertise of the Professional Service Provider (“PSP”), their successful performance on prior assignments, the number of projects requiring design (after evaluation of University staff availability), and the availability of funding for projects.

Professional services fees for individual Project Assignments will be negotiated based on the governing rules of the Texas A&M System Board of Regents. These fees will vary depending upon the types of services required and the project types.

The successful Respondent(s) shall provide hourly rates for additional services or hourly not to exceed tasks as a part of executing the awarded master agreement. These rates shall be based on performance tasks (principal, senior engineer, drafting technician, clerical, etc.; not individual names) and be submitted during the contracting process and negotiations. Initial hourly rates shall be for the base year of the Master Agreement. These rates may be negotiated for each of the subsequent renewal periods, as applicable. Successful Respondent(s) must show the calculations for determination of the hourly rates, detailing the base rate as well as the multiplier including labor overhead, fringe benefits, general and administrative (indirect) expenses, profit and escalation as applicable.

**NOTE: NO hourly rates schedule shall be submitted in the response to this RFQ.**

The intent of this RFQ is to contract with Respondents having in-house capability to provide the necessary professional services. Subconsultants for other disciplines may be included on individual project assignments as the sub-consultant specialty is warranted; such subconsultants are NOT a part of this RFQ. The scope of work will vary from project assignment to project assignment in complexity and the scope of services to be provided by the PSP. Services to be provided may include, but are not limited to:



Program evaluation, project planning, facilities space management, feasibility analysis, testing, studies/reports, conceptual design, cost estimates, schematic design, design development, bidding construction documents, bidding and contractor selection services, basic construction administration, as-constructed drawings and more extensive construction phase quality control and monitoring.

All awarded Respondents shall comply with all applicable codes (Life Safety, NFPA 101, etc.), other regulations, Texas A&M University System and Texas A&M University Corpus Christi "Facility Design Guidelines" as may be additionally stated in the master agreement, subsequent renewals and specific Project Assignments.

Awarded Respondents will be considered for all ranges of projects including both smaller (\$50K to \$1M) and larger projects \$1M to \$10M) unless otherwise stated in Qualifications.

Examples provided below describe the type of project commonly requiring professional services. Required professional services include, but are not limited to, architecture, MEP, structural, civil and environmental for building renovations and new facilities as well as site, landscape and marine related services.

#### **ARCHITECTURAL, ENGINEERING AND ENVIRONMENTAL PROJECTS:**

**Laboratory, Research and Other Related Facilities:** technical expertise and experience with wet and dry laboratory design, use of NFPA 45 Standard on Fire Protection for Laboratories, fume hoods and laboratory ventilation, clean room and HEPA filtration expertise, and marine facilities.

**Renovation of Offices, Administrative Areas, Multifunctional Areas, Classrooms, Meeting Rooms, Auditoriums, Distance Learning Facilities and Audio / Visual Facilities:** projects may include, but are not limited to, building design (new and renovations), building evaluations and existing conditions assessments, code review and compliance, green building practices, and value engineering.

**Mechanical, Electrical and Plumbing:** projects may include, but are not limited to, design (new and renovation/replacement) of MEP systems and components, evaluations of existing conditions assessments, code review and compliance.

**Structural and Civil Projects:** projects may include, but are not limited to, concrete spalling repairs, design (new and repairs) of structures including roofs and piers, TDI windstorm inspections and certifications, evaluations of existing conditions, assessments, code review and compliance.

**Environmental projects:** projects may, but are not limited to, asbestos and lead testing, specifications for abatement/remediation scope, third party monitoring services during abatement/remediation construction work.

**Fire Life Safety projects:** projects may include, but are not limited to, assessment and reporting of code compliance in buildings by a licensed/certified individual, design of Fire Alarm and/or Sprinkler systems for renovation and new construction, 3rd party testing and reporting of Fire Alarm and/or Sprinkler systems.

- **NOTE: Multiple firms may be selected for each Functional Discipline.**

### 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 to all questions in Section 3 formatted as directed in Section 4. Incomplete Qualifications will be considered non-responsive and subject to rejection.

**Note: Information is also being sought at this stage on the consultants. The same information requested below for the Prime Firm is also requested for the named consultant firm(s) unless specifically noted otherwise.**

**Respondent's Legal Name:** \_\_\_\_\_

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

**City, State, Zip:** \_\_\_\_\_

**Telephone No.:** \_\_\_\_\_ **Fax No.:** \_\_\_\_\_

**E-mail Address:** \_\_\_\_\_

**State Comptroller Vendor Identification Number:** \_\_\_\_\_

☐ Corporation ☐ Partnership ☐ Sole Proprietorship ☐ Joint Venture ☐ Limited Liability Company

**Disciplines:**

**Check all professional services provided using in-house resources for which Respondent is submitting Qualifications:**

- ☐ Architectural Services
- ☐ MEP Engineering Services
- ☐ Structural Engineering Services
- ☐ Civil Engineering Services
- ☐ Environmental Hazardous Material Services
- ☐ Fire Life Safety Services
- ☐ Other: (please list) \_\_\_\_\_

The submission of interest and qualifications for this RFQ will be evaluated based on the responses to following criteria. The criteria are not listed in any particular priority. References shall be considered relevant based on specific project participation and experience with the Respondent. The Owner may contact references at any point during the RFQ process.

### 3.1 CRITERIA ONE: FIRM AND TEAM QUALIFICATIONS

3.1.1 Total number of employees company-wide: \_\_\_\_

3.1.2 Total number of employees within local office (within 100 miles of Port Aransas, TX): \_\_\_\_

(Indicate "0" if no office within 100 miles of Corpus Christi, TX)

NOTE: an office local to the Corpus Christi area is not mandatory; however, the information will be considered in evaluation of qualifications. Information about Respondent's approach to logistics and reliable communication when working remotely should be included to aid in evaluation of qualifications.

3.1.3 Provide a brief history of the Respondent's firm (Limit response to one page).

3.1.4 Provide identification on an organizational chart of key personnel proposed to provide services for future project assignments. Identify which employees are within local office (within 100 miles of Corpus Christi), if any.

3.1.5 Provide the following information for each key personnel for the last five years: years with the Respondent's firm; years of relevant experience with brief description of the relevant project(s); their roles in the identified relevant projects; any professional licenses. (Limit response to one page per key personnel.)

3.1.6 List other fully staffed offices or fully staffed branch offices of your organization:

<u>Name/Location</u>	<u>Branch Manager</u>	<u>Telephone Number</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

### 3.2 CRITERIA TWO: FIRM'S PERFORMANCE ON PAST RELEVANT PROJECTS

3.2.1 Provide a brief narrative describing Respondent's areas of specialty (i.e., main discipline with Respondent serving as the primary PSP) relevant to the types of projects listed in Section 2.3 of RFQ. (Limit response to one page.)

3.2.2 List a maximum of six (6) projects for which Respondent provided the professional services described in response to 4.2.1 located in coastal areas subject to harsh environmental conditions. List the projects in order of priority, with the projects most directly related to the criteria, specialties and description of the facilities and potential projects listed first. Include and identify projects performed for the University, any Texas A&M University System campus, and/or any other institution of higher education or similarly complex facilities which maintained continuous operation during construction (hospitals, labs, semi-conductor, etc.). Provide the following information for each project listed:

1. Project name and location, and indicate whether Respondent served as primary PSP or subconsultant.
2. Project description.
3. Project owner.
4. Project construction cost, or estimated cost if not constructed.
5. Project size in gross square feet.
6. Whether the project was new construction, an addition, or a renovation.
7. Duration of both design and construction phases.
8. Describe unique challenges and Respondent's approach to a successful resolution.
9. Key personnel involved on project that are proposed in response to Section 4.1 for assignment to MSI projects.
10. References, including contact name and contact information, for each project listed above.

### 3.3 CRITERIA THREE: FIRM'S MANAGEMENT APPROACH

3.3.1 Briefly describe Respondent's approach to managing the following (Limit response to one page for all requirements of Section 4.3.1):

- Timely completion of design.
- Design of project within budget.
- Quality of documentation.

### 3.4 CRITERIA FOUR: 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. 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.

#### Addenda Acknowledgment

Receipt is hereby acknowledged of the following addenda to this RFQ by entering yes or no in space provided and indicating date acquired. Enter "0" if none received.

No. 1 \_\_\_\_\_ Date \_\_\_\_\_

No. 2 \_\_\_\_\_ Date \_\_\_\_\_

#### Representations

By signing below, Respondent represents and warrants that:

- (i) the Qualifications and all statements and information prepared and submitted in response to this RFQ are current, complete, true and correct;
- (ii) it is 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 or any subsequent proposal. Failure to sign below, or signing a false statement, may void the Response or any resulting contracts at the Owner's option, and the Respondent may be removed from all future proposal lists at this state agency;
- (iii) the individual signing this document and the documents made part of the RFQ is authorized to sign such documents on behalf of the Respondent and to bind the Respondent under any contract which may result from the submission of the Response;
- (iv) no relationship, whether as a relative, business associate, by capital funding agreement or by any other such kinship exists between Respondent and an employee of The Texas A&M University System;
- (v) Respondent has not been an employee of The Texas A&M University System within the immediate twelve (12) months prior to the RFQ response;
- (vi) no compensation has been received for participation in the preparation of this RFQ (ref. Section 2155.004 Texas Government Code);
- (vii) all services to be provided in response to this RFQ will 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 as of the date of this solicitation;
- (viii) Respondent complies with all federal laws and regulations pertaining to Equal Employment Opportunities and Affirmative Action;
- (ix) Respondent and each person signing on behalf of Respondent certifies, and in the case of a sole proprietorship, partnership or corporation, each party thereto certifies as to its own organization, that to the best of their knowledge and belief, no member of The A&M System or The A&M System Board of Regents, nor any employee, or person, whose salary is payable in whole or in part by The A&M System, has direct or indirect financial interest in the award of this RFQ, or in the services to which this RFQ relates, or in any of the profits, real or potential, thereof.;
- (x) Each individual or business entity proposed by Respondent as a member of its team that will engage in the practice of engineering or architecture will be selected based on demonstrated competence and qualifications only; and
- (xi) Respondent certifies it does not and will not, during the performance of any resulting contract from this RFQ, boycott Israel.
- (xii) Respondent certifies that it is not engaged in business with Iran, Sudan, or a foreign terrorist organization. Respondent acknowledges that any Agreement resulting from this RFQ may be terminated if this certification is inaccurate.
- (xiii) Respondent certifies that it is not involved in human trafficking. Respondent acknowledges that any Agreement resulting from this RFQ may be terminated if this certification is inaccurate.

(xiv) Respondent certifies that the requirements of Subchapter J, Chapter 552, and *Texas Government Code*, (added by SB 943 during the 86<sup>th</sup> Legislative Session) may apply to this RFQ and resultant agreement and the Respondent agrees that the resultant agreement can be terminated if the Respondent knowingly or intentionally fails to comply with a requirement of that subchapter.

By signing below, the Respondent hereby certifies as follows, and acknowledges that such certifications will be included in any resulting contract:

If the Respondent is subject to the Texas franchise tax, it is not currently delinquent in the payment of any franchise tax due under Chapter 171, Texas Tax Code, or is exempt from the payment of such taxes. A false certification may result in the Respondent's disqualification.

Under Section 231.006, 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.

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.

Submitted by:

---

(Company Name)

---

(Authorized Signature)

---

(Printed Name/Title)

---

(Date)

---

(Email)

---

(Street Address)

---

(Mailing Address)

---

(City, State, Zip Code)

---

(Telephone Number)

---

(Facsimile Number)



## 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 Qualifications response shall be a **MAXIMUM OF THIRTY (30) PAGES** and uploaded to an electronic media device (thumb drive) as one PDF file. The cover, table of contents, divider sheets, HUB Subcontracting Plan (Section 1.11), and Execution of Offer do not count as pages. The HUB Subcontracting Plan shall be uploaded as a separate PDF file.
- 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 Request for Qualifications may result in the rejection of the Qualifications.
- 4.1.10 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.

- 4.1.11 Separate and identify each criteria response to Section 3 of this RFQ.
- 4.1.12 Number all pages of the submittal sequentially using Arabic numerals (1, 2, 3, etc.); the Respondent is not required to number the pages of the HUB Subcontracting Plan.

# **ATTACHMENT A**

## **HUB SUBCONTRACTING PLAN**

### **FOR**

### **PROFESSIONAL SERVICES**

- I. The purpose of the HUB Program is to promote full and equal business opportunities for all businesses in State contracting.

In accordance with 34 TAC §20.14(d)(1)(D)(iii), a respondent (prime contractor) may demonstrate good faith effort to utilize Texas certified HUBs for its subcontracting opportunities if the total value of the respondent's subcontracts with Texas certified HUBs meets or exceeds the statewide HUB goal or the agency specific HUB goal, whichever is higher. When a respondent uses this method to demonstrate good faith effort, the respondent must identify the HUBs with which it will subcontract. If using existing contracts with Texas certified HUBs to satisfy this requirement, only contracts that have been in place for five years or less shall qualify for meeting the HUB goal. This limitation is designed to encourage vendor rotation as recommended by the 2009 Texas Disparity Study.

Texas A&M University-Corpus Christi (TAMUCC) has determined that the agency's goals differ from the State's goals. Therefore, respondents are required to use the following:

1. 19.78% for all building construction, including general contractors and operative builders contracts;
2. 13.31% for all special trade construction contracts;
3. 17.60% for professional services contracts;
4. 12.32% for all other services contracts; and
5. 25.13% for commodities contracts.

A Historically Underutilized Business (HUB) is defined by statute as an entity with its principal place of business in this state that is: (a) a corporation formed for the purpose of making a profit in which at least 51% of all classes of the shares of stock or other equitable securities are owned by one or more persons who are economically disadvantaged because of their identification as members of certain groups, including Black Americans, Hispanic Americans, women, Asian Pacific Americans, Native Americans and Service Disabled Veterans and have suffered the effects of discriminatory practices or similar insidious circumstances over which they have no control; and have a proportionate interest and demonstrate active participation in the control operation and management of the corporation's affairs; (b) a sole proprietorship created for the purpose of making a profit that is 100% owned, operated, and controlled by a person described in subdivision (a) of the subsection; (c) a partnership formed for the purpose of making a profit in which 51% of the assets and interest in the partnership is owned by one or more persons and demonstrate active participation in the control, operation and management of the partnership's affairs; (d) a joint venture in which entity in the joint venture is a HUB under this subsection; or, (e) a supplier contract between a HUB under this subsection and a prime contractor under which the HUB is directly involved in the manufacture or distribution of the supplies or materials or otherwise warehouses and ships the supplies.

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TAMUCC shall make a good faith effort to meet or exceed either the State of Texas Disparity Study goals or the agency's goal and to assist HUBs in receiving a portion of the total contract value of all contracts that the agency expects to award in a fiscal year. It is the policy of to contract directly with HUBs or indirectly through subcontracting opportunities in accordance with the Texas Government Code, Chapter 2161, Subchapter F and Comptroller of Public Accounts HUB Rules, TAC Section § 20.14.

The total expected value of this contract is \$100,000 or more and Texas A&M University-Corpus Christi has determined that subcontracting opportunities are probable for this contract. Therefore, the Respondent is required to submit a HUB Subcontracting Plan (HSP) with their proposal. The Respondents will use the procedures prescribed in Article II when developing the HSP.

All Respondents must submit a HUB Subcontracting Plan according to the procedures and steps listed below.

The Owner will review the information/documentation submitted and use it as a basis to determine if the Respondent's Plan provides evidence that a good faith effort will be made as required. If it is determined that the submitted Plan is not sufficient, the Respondent's submittal/proposal will be considered non-responsive and shall be rejected for the reasons recorded in the project files. An accepted HSP Subcontracting Plan will become a part of any contract with the Respondent resulting from this solicitation and then can only be modified by contract change order.

For information regarding The Texas A&M University-Corpus Christi's HUB Program and HUB subcontracting requirements, please contact Ruben Gonzalez, HUB Coordinator, [ruben.gonzalez@tamucc.edu](mailto:ruben.gonzalez@tamucc.edu), (361) 825-5822.

### II. HUB SUBCONTRACTING PLAN (HSP) PROCEDURES

An HSP is required as part of bids, proposals, offers, or other applicable expression of interest valued at \$100,000 or more. Responses that do not include the HSP or if the agency determines that the HSP was not developed in good faith, shall be rejected as a material failure to comply with the advertised specifications.

The procedures for the HSP requirements of this Request for Proposal are a **two-step process** as follows; 1) Initial HSP to be submitted with this RFP, and 2) Complete HSP to be submitted within sixty (60) days of award. These two steps are defined below.

1) The following items must be submitted with your RFP response to meet the HUB Subcontracting Plan requirements.

- a. Cover sheet, Page 1
- b. Letter of transmittal attesting that the respondent has read and understands the Policy on Historically Underutilized Businesses (see Attachment A)
- c. State of Texas Historically Underutilized Business Subcontracting Plan: Complete the HSP form by submitting Sections 1, Section 2-a. & b. and Section 4 ONLY. The State of Texas HUB Subcontracting Plan forms shall be accessed on the following website:

<https://purchasing.tamucc.edu/assets/HUBForms/hsp-rev.pdf>

The State of Texas HSP forms shall be completed for the sections noted above and according to the instructions within the form.

- d. Participation Plan explaining how the Respondent intends to make a good faith effort for

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each subcontracting opportunities they identify in Section 2 of the State of Texas HSP Form. This plan shall include the following:

- The Respondent shall state whether it is a Texas certified HUB.
- Provide a sample solicitation notice letter that will be sent to HUB vendors for the subcontracting opportunities. The notice shall, in all instances, include the scope of work, information regarding location to review plans and specifications, information about bonding and insurance requirements, and identify a contact person.
- Provide a sample solicitation letter that will be sent to trade organizations or development centers for the subcontracting opportunities. The notice shall, in all instances, include the scope of work, information regarding location to review plans and specifications, information about bonding and insurance requirements, and identify a contact person.
- Provide a list of the trade organizations or development centers that you intend to work with in your outreach efforts.
- Provide documentation that describes how you intend to locate the HUB vendors for solicitation – Will you use the CMBL listings? Will you advertise in trade organization newsletters or newspapers? Etc.

2) A complete HSP must be submitted within sixty (60) calendar days from the date of contract award. The following items must be submitted with this revised HSP in order to meet the full HUB Subcontracting Plan requirements.

- a. Complete Section 1, page 1 of the HSP form.
- b. Complete Section 2a through d. Any changes to 2b shall be noted accordingly. Note that Method B is required so “No” should be checked on both 2c and d.
- c. Complete Section 3 (if you are self-performing all of the work)
- d. Complete Section 4 (must be signed)
- e. Complete Method B attachment for each opportunity listed in Section 2b. Reminder that all supporting documentation listed in Section B-3 shall be provided as part of this attachment. The following are additional items of note as part of the good faith effort required:

Complete either Method A or Method B (only one method can be used per HSP Plan) for each opportunity listed in Section 2b. Reminder that all supporting documentation shall be provided as part of this plan. The following are additional items of note as part of the good faith effort required:

- The respondent shall provide potential HUB subcontractors reasonable time to respond to the respondent’s notice. “Reasonable time to respond” in this context is no less than seven (7) working days from receipt of notice, unless circumstances require a different time period, which is determined by the agency and documented in the contract file.
- The respondent shall use the State of Texas Centralized Master Bidders List (CMBL), HUB Directory, internet resources, and/or other directories as identified by the State of Texas or the Texas A&M University-Corpus Christi HUB Program Office when searching for HUB subcontractors.

**NOTE: A complete list of all certified HUBs may be electronically accessed through the Internet at**

<https://mycpa.cpa.state.tx.us/tpasscmblsearch/index.jsp>

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- The respondent shall provide the notice described in this section to **three (3) or more** HUBs for **each** subcontracting opportunity as stated in Section B3a. Texas A&M University-Corpus Christi encourages respondents to seek and find a “Diverse Group” of Historically Underutilized Businesses in each category in which a subcontract of services is solicited.
- The respondent shall provide notice to trade organizations or development centers that assist in identifying HUBs by disseminating opportunities to their membership/participants.
- The respondent shall negotiate in good faith with qualified HUBs, not rejecting qualified HUBs who were also the best value responsive bidder.
- Provide written justification of the selection process if a non-HUB subcontractor is selected in Section B-4c.

### III. HSP CHANGES

If at any time during the term of the contract, it becomes necessary to make a change to the approved HSP, such proposed change must be received for review and approval by the TAMUCC HUB Program Office before the change will be effective under the contract. The contractor must comply with provisions of TAC §20.14 relating to development and evaluation of HSP, in order to substitute or subdivide the work and/or substitute or add subcontractors prior to any alteration of the HSP. TAMUCC shall document changes to the HSP by contract change order. The reasons for proposed change(s) shall be requested on a Form C-27b Consultant/Subcontractor Substitution Form and recorded in the procurement file. In the event that a change is necessary, the requested changes shall not reduce the level of HUB participation that was a part of the proposal at the time of construction contract award unless approved by the TAMUCC HUB Program Office.

The contractor will be required to submit a revised HSP for additional subcontracting opportunities that were not identified in the original HSP and created when the original scope of work expands through a change order, contract amendment or a contract renewal.

TAMUCC requires a respondent to whom a contract has been awarded, to report to TAMUCC the identity and the amount paid to its subcontractors, HUBs and non-HUBs. If the contractor fails to fulfill the HSP specified in the contract, TAMUCC shall notify the contractor of any deficiencies. TAMUCC shall require the contractor to submit documentation and explain why the failure to fulfill the HUB Subcontracting Plan should not be attributed to a lack of good faith effort by the contractor.

If a determination is made that the contractor failed to implement the HSP in good faith, TAMUCC, in addition to any other remedies, may report nonperformance to the Comptroller of Public Accounts in accordance with 34 TAC, Chapter §20.105 (relating Debarment).

During the term of the contract, TAMUCC shall determine whether the value of the subcontracts to HUBs meets or exceeds the HSP provisions specified in the contract.

### IV. REPORTING REQUIREMENTS

Each contractor that enters into a contract shall report to Texas A&M University-Corpus Christi all subcontracting/supplier payments. The report will include the volume of work

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performed under the contract, the portion of the work that was performed with its own employees/resources, HUB and Non-HUB subcontractors and suppliers (See HSP Prime Contractor Progress Assessment Report Form (PAR) located at the following link under HUB Subcontracting Plan (HSP) Forms:

<https://comptroller.texas.gov/purchasing/vendor/hub/forms.php>

Texas A&M University-Corpus Christi may request payment documentation in accordance with the Comptroller of Public Accounts HUB Rules that confirms the performance of the contractor. During the course of the contract, TAMUCC shall discuss the performance of the contractor and document the contractor performance in the contract file.

**Note:** When the prime contractor/vendor is a HUB, it must perform at least 25% of the total value of the contract with its own or leased employees, as defined by the Internal Revenue Service, in order for the Owner to receive 100% HUB credit for the entire contract.

If a HUB prime contractor's HSP identifies that it is planning to perform less than 25% of the total value of contract with its own or leased employees, the HUB contractor must report to the Owner the value of the contract that was actually performed by the HUB prime contractor and the amount to be performed by its HUB subcontractors.

The HUB Office shall audit the contractor's compliance with the HSP. If the contractor is found deficient, TAMUCC shall give the contractor an opportunity to submit documentation and explain to TAMUCC why the failure to fulfill the HSP should not be attributed to a lack of good faith effort by the contractor.

# ATTACHMENT A

(SUBMIT ON YOUR BUSINESS LETTERHEAD)

Mr. Ruben Gonzalez  
Texas A&M University-Corpus Christi  
6300 Ocean Drive., Unit 5731  
Corpus Christi, Texas 78412-5731

Subject: HUB Subcontracting Plan  
Project Number: RFQ4-0001  
Architect/Engineer Professional Services  
Corpus Christi, Texas

Dear Mr. Gonzalez:

I am pleased to forward this HUB Subcontracting Plan as an integral part of our written response submitted in connection with your Construction Services solicitation for Project Number RFQ4-0001.

I have read and understand Texas A&M University-Corpus Christi's Policy on Utilization of Historically Underutilized Businesses (HUBs) and the goals for HUB participation.

Sincerely,

(Signature)  
(Printed Name)  
(Printed Title) ||