



RFQ NO. 730-24069

REQUEST FOR QUALIFICATIONS

FOR

DESIGN-BUILD SERVICES

FOR

Freshman Student Housing

AT THE University of Houston Main Campus

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| Date Issued: | June 3, 2024 |
| Pre-Submittal Conference: | June 10, 2024 at 1:30 PM CT |
| Questions Deadline: | June 12, 2024 at 2 PM CT |
| Qualifications & HUB Subcontracting Plan Due Date and Bid Opening: | June 24, 2024 @ 2 PM CT |
| Procurement Point of Contact: | Hasan Jamil Sr. Buyer 5000 Gulf Freeway Building 1, Room 214 Houston, TX 77204-5015 purfpc@central.uh.edu |

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|----------------------------|---|
| Project Summary: | Design-Build Services phase services for new Freshman Student Housing at the University of Houston Main Campus. |
| Procurement Method: | Selection will be made in accordance with the two-step process set forth in Tex. Educ. Code §51.780. |
| HUB Goal: | 21.1% |

Contents

| | |
|---|-----------|
| SECTION 1– THE PROJECT | 3 |
| 1.1 General..... | 3 |
| 1.2 Project Site..... | 3 |
| 1.3 Preliminary Project Timeline..... | 3 |
| 1.4 Budget..... | 3 |
| SECTION 2 – PROGRAM REQUIREMENTS | 4 |
| 2.1 Project Description..... | 4 |
| 2.2 Space Type..... | 4 |
| 2.3 Construction..... | 4 |
| SECTION 3– REQUIREMENTS FOR SUBMISSION OF QUALIFICATIONS | 4 |
| 3.1 General..... | 4 |
| 3.2 Schedule..... | 4 |
| 3.3 Submission of Qualifications..... | 4 |
| 3.4 Pre-Submittal Meeting..... | 5 |
| 3.5 Clarifications and Interpretations..... | 5 |
| 3.6 Certification..... | 5 |
| 3.7 Communication Restrictions..... | 6 |
| 3.8 No Reimbursement or Re-Delivery..... | 6 |
| 3.9 Acceptance of Evaluation Methodology..... | 6 |
| 3.10 Owner's Reservation of Rights..... | 6 |
| 3.11 No Confidentiality..... | 6 |
| 3.12 Contract..... | 6 |
| 3.13 Historically Underutilized Businesses..... | 7 |
| 3.14 Execution of Offer..... | 8 |
| 3.15 Incumbency Certificate..... | 8 |
| 3.16 Bonding Capacity..... | 8 |
| 3.17 Summary of Requirements..... | 8 |
| 3.18 Insurance Requirements..... | 9 |
| 3.19 Prevailing Wage Rates..... | 9 |
| 3.20 Corporate Partnerships and Sponsorships..... | 9 |
| 3.21 Compliance with Certain State Contracting Requirements..... | 10 |
| SECTION 4 – QUALIFICATIONS | 11 |
| 4.1 General Information..... | 11 |
| 4.2 Evaluation of Qualifications..... | 12 |
| 4.3 CRITERION 1 – Relevant Experience and Capabilities..... | 13 |
| 4.4 CRITERION 2 – Qualifications of Project Team..... | 14 |
| 4.5 CRITERION 3 – Quality of Design..... | 14 |
| 4.6 CRITERION 4 – Respondent's Ability to Provide Design Build Services..... | 14 |
| 4.7 CRITERION 5 – Respondent's Efforts to Attain Hub/MWBE Participation Goal..... | 15 |

| EXHIBITS | |
|----------|---|
| A | Project Site Map |
| B | Execution of Offer *Required* |
| C | HUB Subcontracting Plan ("HSP") and TIP Sheet *Required* |
| D | Design Build + Letter of Intent *Required* |
| E | No Boycott Certifications |
| F | Texas Public Information Act *Required* |
| G | Corporate Response Form |
| H | Design Build Agreement |

GENERAL INFORMATION

The University of Houston System (“System” or “Owner”) is soliciting statement of qualifications (each a “Qualifications”) for the selection of a design-build firm for the design and construction of the Freshman Student Housing (the “Project”). The Project is inclusive of the construction of the New Student Housing. The Project will be designed-built in accordance with UH Framework, the terms, conditions, and requirements set forth in this Request for Qualifications (“RFQ”) and the resulting contract.

This Request for Qualifications is the first step of a two-step selection process for selecting a design-build firm. The RFQ provides the information necessary to prepare and submit Qualifications for consideration by Owner. Owner may select up to five (5) of the top ranked Qualifications respondents to response to a Request for Proposals (“RFP”).

In the second step of the process, the RFP, the selected Qualifications respondents will be required to submit additional information to Owner. The second step may also include an interview. Owner will rank the respondents in the order that they provide the “best value” for the Owner based on all information received.

RESPONDENTS ARE CAUTIONED TO READ THE INFORMATION CONTAINED IN THIS SOLICITATION CAREFULLY AND TO SUBMIT A COMPLETE RESPONSE TO ALL REQUIREMENTS AND QUESTIONS AS DIRECTED. FAILURE TO RESPOND TO ALL QUESTIONS AND COMPLETE ALL BLANKS ON UNIVERSITY PROVIDED FORMS MAY CONSTITUTE A NON-RESPONSIVE SUBMISSION, AND BE REMOVED FROM CONSIDERATION FOR AWARD OF A CONTRACT.

SECTION 1– THE PROJECT

1.1 General. The University of Houston System (“**Owner**”) is soliciting statement of qualifications (each a “**Qualifications**”) for the selection of a contractor to provide design build services phase services for the construction of the new Freshman Student Housing (the “**Project**”) on the University of Houston’s main campus. **This is the first step of the two-step process, the second step being a Request for Proposals (“RFP”).**

1.2 Project Site. The Project will be located on the University of Houston Main Campus. A campus map depicting the location of the Project site is included as **EXHIBIT A**.

1.3 Preliminary Project Timeline. The preliminary project timeline for the Project is:

The project shall be fully operational for its intended use on or before Fall Semester 2027.

| | |
|------------------------|----------------|
| Design Start | September 2024 |
| Construction Start | June 2025 |
| Substantial Completion | April 2027 |
| Final Completion | June 2027 |

1.4 Budget. Owner’s Design Build Budget Limitation (*the “**DBBL**”*) is approximately \$150,000,000.00. This amount is the maximum amount that could be paid to the design-build firm and includes the Preconstruction Services Fee, which includes all Design Services fees, all Costs of the Work, all General Conditions Costs, the Construction Phase Fee, all construction contingencies and any Owner specified allowances. Owner reserves the right to increase and/or decrease the DBBL in its sole discretion.

SECTION 2 – PROGRAM REQUIREMENTS

2.1 Project Description. The project shall consist of the construction of a new residence hall tailored to freshman. The project is poised to house approximately 1,000 students, placing emphasis on fostering community bonds and providing academic support.

2.2 Space Type. Residential.

2.3 Construction. The successful Respondent shall comply with the Owner's Master Construction Specifications and Campus Design Guidelines and Standards, as revised by Owner, which may be found online at <http://www.uh.edu/plantops/departments/fpc/owners-design-criteria/index.php>. Requested and approved variations must be approved by Owner in writing, and shall meet the same levels of quality and professional practice as the standard criteria.

SECTION 3– REQUIREMENTS FOR SUBMISSION OF QUALIFICATIONS

3.1 General. Qualified firms that wish to be considered for the award of a contract for the services (each, a **“Respondent”**) must submit its statement of qualifications for such award (the **“Qualifications”**) in compliance with the requirements contained in this RFQ. Failure to so comply will result in disqualification of the Qualifications and the Respondent.

3.2 Schedule. The following schedule has been established for this solicitation:

| | |
|--|-----------------------------|
| Request for Qualifications Posted | June 3, 2024 |
| Pre-Submittal Meeting | June 10, 2024 at 1:30 PM CT |
| Questions Deadline | June 12, 2024 at 2 PM CT |
| Questions & Answers posted to ESBD | TBD |
| Qualifications Submittal Deadline | June 24, 2024 @ 2 PM CT |
| Notification of Shortlisted Firms | TBD |
| Notify Finalists | TBD |
| Request for Proposals Posted | TBD |
| Proposals Submittal Deadline | TBD |
| Contract Negotiations Commence | TBD |
| Oral Presentations/Interviews, if held | TBD |
| Contract Signed | TBD |
| Contract State Date (estimated) | TBD |
| The University will be closed the following days: https://www.uh.edu/human-resources/payroll/holiday-schedule/ | |

3.2.1 Owner reserves the right to change the schedule as necessary to accommodate selection committee members' schedules or other business of Owner.

3.3 Submission of Qualifications. Qualifications are due on or before the Submittal Deadline identified in Section 3.2. Qualifications received after the Submittal Deadline will not be accepted or considered. Qualifications must be delivered to Owner's **Point of Contact**:

Hasan Jamil
University of Houston
Purchasing Department

5000 Gulf Freeway
Building 1, Room 214
Houston, TX 77204-5015
purfpc@central.uh.edu

3.3.1 Owner recommends the use of a reliable courier rather than the United States Postal Service for delivery of the Qualifications. Owner will not acknowledge or accept Qualifications delivered by telephone, facsimile (fax), or e-mail.

3.3.2 Each qualifications must be submitted in hard and electronic versions as follows:

3.3.2.1 One (1) original signed and one (1) copy signed of the Qualifications **no longer than 30-double-sided pages** (60 single-sided pages total).

3.3.2.2 Each Qualification must be submitted as one (1) package with two (2) individually sealed envelopes inside. The qualification documents, attachments, Execution of Offer, and any other information must be included in one envelope with a copy on USB. Two (2) copies of the qualification must be included. The completed HUB Subcontracting Plan must be in the second envelope with a copy on USB. One (1) copy of the HSP must be included. Owner prefers simple and economically produced Qualifications describing the Respondent's ability to meet the requirements of this RFQ in a straightforward, concise manner. In evaluating Qualifications, emphasis shall be on the quality, completeness, clarity of content, responsiveness to the requirements, and Respondent's understanding and anticipating of the Owner's needs.

3.3.2.3 The cover, table of contents, divider sheets, sample documents, incumbency certificate, Bonding Letter, HSP, Execution of Offer and Cost and Delivery Proposal do not count as printed pages. Owner's published manuals may be submitted in their entirety as an attachment or incorporated by reference.

3.3.3 Each Qualification must include a completed Execution of Offer (**EXHIBIT B**), which will not count toward the page or size limitation of the Qualifications.

3.4 Pre-Submittal Meeting. A **MANDATORY** pre-submittal meeting will take place on June 10, 2024 at 1:30 PM CT via Microsoft Teams. Failure to attend the mandatory pre-submittal meeting will result in disqualification. **Try a different browser if the following link does not work:**

https://teams.microsoft.com/join/vboLF_CikEytSw6PDwxCWQ,rRBp_i5hGEGEiW6sZuRJcg,xl4_hVr6H0S0BtDLF9XXFQ,yFB5jXs0qESWr0morO5AZw,mcKdE1BOREC_elrWpjwuYA,QgdkqBFzOk6W8J4jr4ZwGA?mode=read&tenantId=170bbabd-a2f0-4c90-ad4b-0e8f0f0c4259

3.5 Clarifications and Interpretations. Any questions or requests for clarification or interpretation shall be submitted to the Point of Contact by email on or before the Questions Deadline identified in Section 3.2. All timely questions will be answered and requests for clarification will be addressed at one time and in one posting as an addendum to this RFQ on the Electronic State Business Daily ("**ESBD**") website (<http://www.txsmartbuy.com/esbd>). Owner will post any other clarification to or interpretation of this RFQ that materially affects or changes its requirements as an addendum on the ESBD website. It is Respondents' responsibility to obtain this information in a timely manner. All such addenda issued by Owner before Submittal Deadline are, and must be treated as, part of this RFQ, and each qualification must specifically acknowledge receipt of this RFQ and each addendum by including a copy of the RFQ and each addendum with the Qualifications (not counted toward the page or size limit).

3.6 Certification of Compliance in Selection of Engineers And Architects

Respondents are advised that the Texas Board of Architectural Examiners requires that any firm or business entity providing architectural services to the public, other than a sole proprietor doing business under his/her name, must annually register information regarding the firm or business entity with the Texas Board of Architectural Examiners. Texas Board of Architectural Examiners has jurisdiction over individuals licensed under the Architects' Registration Law Chapter 1051, Texas Occupations Code. The Texas Board of Architectural Examiners contact information is: 333 Guadalupe Street, Suite 2-350, Austin, Texas 78701, telephone (512) 305-9000. Respondents are advised that the 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.

Only individual firms or lawfully formed business organizations may apply. This requirement does not preclude a respondent from using consultants. Owner will contract only with the individual form or formal organization that submits Qualifications or a Proposal.

3.7 Communication Restrictions. Subject to Section 3.9.4, Respondents may only communicate with the Point of Contact and no other person regarding this RFQ or the Project, or concerning matters related to them.

3.8 No Reimbursement or Re-Delivery. Qualifications and any other information submitted by Respondents become the property of Owner and will not be returned. **BY SUBMITTING ITS QUALIFICATIONS, EACH RESPONDENT ACKNOWLEDGES AND AGREES THAT ANY COSTS INCURRED BY RESPONDENT IN CONNECTION WITH THIS RFQ (INCLUDING SUBMISSION OF ITS QUALIFICATIONS) ARE AT RESPONDENT'S SOLE RISK, RESPONSIBILITY, AND EXPENSE.**

3.9 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.

3.10 Owner's Reservation of Rights. Owner reserves the right to reject any or all Qualifications at any point during the selection process, and to postpone or abandon – temporarily or permanently – the Project at any time. Further, Owner reserves the right to re-post an RFQ for the Services if Owner determines such action to further and/or protect its interests. In addition to the requirements herein, Owner reserves the option to conduct additional selection steps to further establish a Respondent's qualifications. Additional steps may include, but not necessarily be limited to, scheduled visits to the Respondent's offices or to representative projects, and written requests for supplemental information.

3.11 No Confidentiality. All information, documentation and other materials requested by Owner and/or submitted or otherwise disclosed by a Respondent (including, but not limited to, the Qualifications, the **"Public Information"**) are and will be deemed non-confidential and/or non-proprietary and therefore subject to public disclosure under the Texas Public Information Act (Texas Government Code, Chapter 552.001, et seq.) once a contract for the Project is awarded. Owner strictly adheres to applicable laws, including but not limited to statutes, court decisions, and opinions of the Texas Attorney General with respect to disclosure of information and compliance with the requirement of the Texas Public Information Act. **BY SUBMITTING ITS QUALIFICATIONS, A RESPONDENT SPECIFICALLY AND EXPRESSLY RELEASE OWNER FROM LIABILITY RESULTING, AND WAIVES ANY AND ALL CLAIMS ON BEHALF OF RESPONDENT AND ANY PERSON(S) CLAIMING BY, THROUGH OR UNDER RESPONDENT, FROM OWNER'S DISCLOSURE OF THE PUBLIC INFORMATION.**

3.12 Contract. Owner, an agency of the state of Texas pursuant to Sections 111.001 et seq. of the Texas Education Code, is soliciting statements of qualifications ("Qualifications") from qualified, reputable and experienced design-build teams (each, a "Respondent") for the design and construction of the Project in accordance with the terms, conditions and provisions of Owner's form Design-Build Agreement (the "Contract Form"), which can be found on **EXHIBIT H**.

3.12.1 Any capitalized term used herein and not specifically defined in this RFQ shall have the meaning ascribed to it in the Contract Form.

3.12.2 BY SUBMITTING QUALIFICATIONS, A RESPONDENT EXPRESSLY ACCEPTS, CONSENTS AND AGREES TO THE TERMS, CONDITIONS AND PROVISIONS OF THE CONTRACT FORM.

3.12.3 The Contract Form contains not only the terms under which Owner will contract, but also references to laws affecting the agreement and the design of the Project, including laws governing procurement (including timing for payment), participation by Historically Underutilized Businesses (each, a **"HUB"**), required insurance, state contracting requirements, application of the Texas Facilities Commission's current form of Uniform General Conditions, etc. Any capitalized term used but not defined in this RFQ has the meaning ascribed to it in the Contract Form. **BY SUBMITTING ITS QUALIFICATIONS, RESPONDENT IS EXPRESSLY CONSENTING TO THE TERMS, CONDITIONS, AND PROVISIONS OF THE CONTRACT.**

3.12.4 The successful Respondent or its employees may, in the performance of the resultant contract, come into possession of proprietary or confidential information owned by or in the possession of the University. The successful Respondent shall not use any such information for its own benefit or make such information available to any person, firm, corporation, or other organization, regardless of whether directly or indirectly affiliated with the successful Respondent, unless (1) required by law, (2) by order of any court or tribunal, (3) such disclosure is necessary for the assertion of a right, or defense of an assertion of a right, by one party against the other party hereto, or (4) such information has been acquired from other sources.

3.13 Historically Underutilized Businesses. In accordance with Texas Government Code §2161.181-183 and the Texas Administrative Code (TAC) Title 34, part 1, Chapter 20 Subchapter B Section §20.14, Owner is required to make a good faith effort to utilize HUBs in contracts for construction services with an expected value of \$100,000 or more where Owner determines that subcontracting is probable. Based on an analysis conducted by the Owner's Purchasing Department, subcontracting was determined to be probable. Therefore, a Historically Underutilized Business Subcontracting Plan **will be required** to be submitted with the Qualifications (not counted toward the page or size limit). A copy of the HSP along with instructions & letter of intent are included in **EXHIBIT C** and **EXHIBIT D**. Any Qualifications submitted without a completed HUB Subcontracting Plan will be rejected as non-responsive. The HUB Subcontracting Plan will be considered part of any contract resulting from this solicitation.

3.13.1 The HUB Subcontracting Goal for this project is 21.1%.

3.13.2 Owner is committed to sponsoring mentor-protégé relationships for HUBs as outlined in Texas Government Code Section 2161.065 and Texas Administrative Code Title 34, Part 1, Chapter 20, Subchapter DB, Division 1, §20.298, and has been performing outreach to support this important effort.

3.13.3 The Respondent shall maintain business records documenting compliance with the HUB Subcontracting Plan (**"HSP"**) and shall submit a monthly Progress Assessment Report (**"PAR"**) via the University of Houston's Contracts Compliance System, <https://uh.gob2g.com/>. The PAR submission shall be required as a condition for payment.

3.13.3.1 The successful Respondent shall report to Owner the identity and amount paid to each HUB and non-HUB subcontractor to whom the Respondent has awarded a subcontract for labor, supplies, materials and equipment. The subcontractors listed in the Progressive Assessment Reports (PARS) should be the same vendors identified in the HSP during the life of the contract. **Complete the PARs Designee Form and submit with the HUB Subcontracting Plan.**

3.13.4 Any questions related to completing the HUB Subcontracting Plan should be directed to the HUB Operations Department at hubdocs@uh.edu.

3.13.5 The HUB Operations Department offers a courtesy review. Email hubdocs@uh.edu should you request a review. Reviews may take several days and respondents are encouraged to plan accordingly.

3.13.6 **Return HUB Plans in separate envelopes sealed and with the title and reference number “RFQ730-24069 Freshman Student Housing” on the outside of the envelope.** If you have any questions about completing the HSP, you may email the HUB Operations Department at hubdocs@uh.edu.

3.14 Execution of Offer. Each Qualifications must include the completed, fully executed and acknowledged Execution of Offer in form and substance identical to the form attached hereto as **EXHIBIT B**.

3.15 Incumbency Certificate. Each Qualifications must include an incumbency certificate establishing the individuals authorized to sign on behalf of Respondent. If Respondent is a limited partnership, the incumbency certificate must be for the individual authorized to bind the general partner of the limited partnership on behalf of the limited partnership.

3.16 Bonding Capacity. List Respondent's bonding capacity and available bonding capacity. Attach a letter of intent from a surety to bond the Project in the minimum amounts required by law (the “**Bonding Letter**”) that identifies the Project as “**RFQ730-24069 Freshman Student Housing**”. Any Proposal submitted without a Bonding Letter, with a generic bonding letter, or with a bonding letter that does not satisfy the requirements of this Section 3.15 will be rejected as nonresponsive.

3.17 Summary of Requirements

3.17.1 Respondents must adhere to the following requirements in order for their Qualifications to be considered by Owner. If any requirements are not followed, Respondent's Qualifications will be considered non-responsive and will not be evaluated.

3.17.1.1 Submit the Qualifications requested by this RFQ by the time and date indicated in Section 3.2 and at the address indicated in Section 3.3.1.

3.17.1.2 Submit the Qualifications in the format indicated in Section 3.3.1;

3.17.1.3 Restrict communications with the Owner, as indicated in Sections 3.5, 3.6, and 3.9.3;

3.17.1.4 Submit a completed HUB Subcontracting Plan, as indicated in Section 3.9.1, with the Qualifications; and

3.17.1.5 Submit a completed Execution of Offer included in **EXHIBIT B**, as indicated in Section 3.13, with the Qualifications which acknowledges receipt of each Addenda issued pursuant to this RFQ;

3.17.1.6 Submit a certificate of incumbency, as indicated in Section 3.14;

3.17.1.7 Submit a Bonding Letter, as indicated in Section 3.15;

3.17.1.8 Acknowledgement to maintain, and provide proof acceptance of the final award, the insurance coverage as detailed in the Contract Form.

3.17.2 If any requirements are not followed, a Respondent's Qualifications will be considered non-responsive and will not be evaluated.

3.18 Insurance Requirements. The insurance requirements for any contract awarded pursuant to this RFQ are set forth in the Contract Form. Respondents are required to have the insurance requirements found in the Tx UGC. In addition, to the following coverage requirements below specific to this Project:

3.18.1 Pollution Liability is required for this Project in an amount of no less than \$1,000,000. Please refer to Section 14.4 of the Owner-Contractor Agreement.

3.18.2 Special form builder's risk or installation floater coverage is required for this project and will be provided by either Respondent or Owner at owner's discretion. Please refer to Section 5.2.2.1.5 of the Texas Facilities Commission's Uniform General Conditions which is incorporated by referenced into the Owner-Contractor Agreement.

3.18.3 Excess Liability/Umbrella insurance is required for this project at a minimum limit of \$50,000,000. Please refer to Section 5.2.2.1.6 of the Texas Facilities Commission's Uniform General Conditions which is incorporated by referenced into the Owner-Contractor Agreement.

3.18.4 No provision, term, or condition in the Contract Form regarding indemnification obligations shall be construed to limit the application of insurance procured by the Respondent in accordance with requirements set forth in the Contract Form.

3.18.5 Section 406.096 of the 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.

3.19 Prevailing Wage Rates. The successful Respondent shall pay not less than the wage scale of the various classes of labor as shown on the prevailing wage schedule as established by the United States Department of Labor in accordance with the Davis-Bacon Act, as amended, for Harris County as of the date of execution of the contract awarded pursuant to this RFQ.

3.20 Corporate Partnerships and Sponsorships. Corporate Partnerships provide increased value beyond simple purchasing agreements by leveraging the UH System's consolidated spending power across all campuses, athletic, academic, and research strengths and other marketing assets to develop expanded and coordinated opportunities for both the UH System and its corporate partners. Corporate partners are UH System suppliers and service providers whose affiliations with the UH System may help to expand their markets or create mutually beneficial opportunities. The UH System seeks to develop mutually beneficial opportunities with corporate partners and encourages proposers to explore ways to increase the value of the partnership between the UH System and the corporate partner. Opportunities are listed on the University of Houston Corporate Sponsorship webpage might include:

- Student Talent/ internships
- Community Programming
- Alumni Association Partnerships
- Research and Innovation
- Campus Marketing and Branding
- Athletics

Proposers should submit the University of Houston Corporate Response Form (**EXHIBIT G**) to indicate any areas of interest for additional partnership opportunities and return the completed form with their response to this solicitation, separately from their bid response, to the buyer named in this solicitation. Corporate Response Forms embedded in solicitation responses will be considered non-compliant and the proposer will be provided forty-eight (48) hours to submit a corrected solicitation response and Corporate Response Form.

Proposer interest in additional partnership opportunities will not be disclosed to the solicitation evaluation committee. Proposer interest in additional partnerships will not be utilized in scoring except by the Purchasing Department in the event of a tie between two proposers. Proposer interest in additional partnerships will not be a part of contractual negotiations. The additional partnership interests of the winning proposer will be provided to the appropriate UH System department once the contract resulting from the solicitation is fully executed. That office will assist proposers and awardees with the development and execution of these opportunities.

3.21 Compliance with Certain State Contracting Requirements.

3.21.1 *No Boycott of Israel.* The successful Respondent will be required to certify that it is current engaged in, and agrees for the duration of the contract awarded pursuant to this RFQ not engage in the boycott Israel as defined by Section 808.001 of the Texas Government Code. **EXHIBIT E**

3.21.2 *Anti-Boycott of Energy Companies.* The successful Respondent will be required to certify that that it is not currently engaged in, and agrees for the duration of the contract awarded pursuant to this RFQ not to engage in, the boycott of energy companies as defined by Section 809.001 of the Texas Government Code. **EXHIBIT E**

3.21.3 *Anti-Boycott of Firearm Entities or Firearm Trade Associations.* The successful Respondent will be required to certify that that it does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association, or will not discriminate against a firearm entity or firearm trade association for the duration of the contract awarded pursuant to this RFQ, as defined by Section 2274.001 of the Texas Government Code. **EXHIBIT E**

3.21.4 *Certification of No Business with Foreign Terrorist Organizations.* For purposes of Section 2252.152 of the Texas Government Code, the successful Respondent will be required to certify that, at the time of the contract awarded pursuant to this RFQ neither the successful Respondent nor any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of the successful Respondent, is a company listed by the Texas Comptroller of Public Accounts under Sections 2252.153 or 2270.0201 of the Texas Government Code as a company known to have contracts with or provide supplies or to a foreign terrorist organization.

3.21.5 *Certificate of Interested Parties.* If the value of the contract awarded pursuant to this RFQ exceeds \$1,000,000, the successful Respondent will be required to it has complied with Section 2252.908 of the Texas Government Code and Part 1 Texas Administrative Code Sections 46.1 through 46.3 as implemented by the Texas Ethics Commission (“TEC”), if applicable, and has provided Owner with a fully executed TEC Form 1295, certified by the TEC and signed and notarized by the successful Respondent.

3.21.6 *Certification of Compliance – Texas Public Information Act Contracts for \$1 Million or more (EXHIBIT F)*

3.21.6.1 If the contract awarded pursuant to this RFQ has a value of \$1,000,000 or more, then the successful Respondent shall:

3.21.6.1.1. preserve all “contracting information” as defined in Section 552.003 of the Texas Government Code related to the Contract as provided by the records retention requirements applicable to Owner for the duration of the contract;

3.21.6.1.2. provide to Owner any contracting information related to Owner that is in the custody or possession of the successful Respondent on request of

Owner no later than ten (10) business days after receiving such request from Owner; and

3.21.6.1.3. on completion of the contract, either:

3.12.6.1.3.1 provide at no cost to Owner all contracting information related to the contract that is in the custody or possession of the successful Respondent; or

3.12.6.1.3.2 preserve the contracting information related to the contract as provided by the records retention requirements applicable to Owner.

3.21.6.2 Furthermore, the successful Respondent agrees that the requirements of Subchapter J, Chapter 552, Government Code, may apply to the Contract and Contractor agrees that the Contract can be terminated if the successful Respondent knowingly or intentionally fails to comply with a requirement of that subchapter.

3.21.7 *Additional Requirements.* Additional state contracting requirements are included in the Contract Form.

SECTION 4 – QUALIFICATIONS

4.1 General Information

4.1.1 Each Qualification should address each of the following items in the same order in which they are set forth below:

4.1.1.1 Introduction and general information of Respondent:

4.1.1.1.1. Firm data and general qualifications;

4.1.1.1.2. Legal name and address(es); and

4.1.1.1.3. Firm profile, i.e.;

- Age,
- Type of legal entity (e.g., partnership, professional corporation, etc.),
- Firm history,
- Firm size (professionals by discipline) currently and one year ago,
- Areas of specialty/concentration, and
- Current certificate of incumbency. If Respondent is a limited partnership, the certificate should be for its general partner entity.

4.1.1.2 Respondent's financial stability will be evaluated based on Respondent's consistent revenue stream, and on pending acquisitions, loan defaults and litigation.

4.1.1.2.1. Certify that Respondent will submit an audited copy of Respondent's financial statements for the past three (3) years, if requested by Owner.

4.1.1.2.2. Provide Respondent's annual revenue total for the immediately preceding fiscal year.

4.1.1.2.3. Provide Respondent's annual revenue totals for the past five (5) years.

4.1.1.2.4. Provide Respondent's annual revenue totals within the state of Texas for the past five (5) years.

4.1.1.2.5. If Respondent is currently for sale or otherwise involved in any transaction to expand or to become acquired by another business entity, explain the impact the proposed transaction is expected to have on Respondent's organization and operation and on the staffing of the Project.

4.1.1.2.6. If Respondent is currently in default, or has received a notice of default, or will be (due to the passage of time) in default on any loan or financing agreement with any bank, financial institution, or another lender, specify relevant dates, circumstances, and prospects for resolution.

4.1.1.3 Identify and provide details of any pending or threatened litigation or claims against Respondent:

4.1.1.3.1. that would affect Respondent's performance on the projects if a contract were awarded to Respondent, and/or

4.1.1.3.2. alleging Respondent's default under a contract for the construction, modification or renovation of permanent improvements to real property.

4.1.1.4 Description of Respondent's proposed Design/Build Contractor team for the Project (the "**Project Team**"). Identify or provide (as appropriate):

4.1.1.4.1. Key firm personnel to be assigned to the Project.

4.1.1.4.2. Organizational chart illustrating reporting lines and names and titles for key participants proposed by Respondent. Indicate the estimated percentage of the time these team members will be involved in the Project for Pre-Construction Phase Services and Construction Phase Services.

4.1.2 If, in Owner's judgment, a Respondent's proposed team does not include all the specialties needed to perform all services for the Pre-Construction Phase and Construction Phase of the Project, or includes unnecessary or redundant services (and/or service providers), Owner may, at its sole discretion, request that Respondent revise the team. Owner also may recommend qualified, reputable subcontractors and/or consultants help meet its HUB goal for this project.

4.2 Evaluation of Qualifications. By submitting its Qualifications, Respondent accepts the evaluation process and acknowledges and accepts that determination of the "most qualified" firm(s) may require subjective judgments by Owner.

4.2.1 Owner will review and evaluate all complete and compliant Qualifications and produce a short list of up to five (5) best qualified Respondents, determined in accordance with the criteria set forth in this RFQ. All Respondents will be notified of the short list.

4.2.2 The short-listed Respondents will be asked to respond to a Request for Proposal for the Project.

4.2.3 If the selection committee elects to conduct interviews of the short-listed Respondents, the Owner will notify them of the date, time and location of these interviews.

4.2.4 Qualifications will be evaluated and ranked based on the following matrix:

| Category | Value |
|--|-------------|
| CRITERION ONE: Relevant Experience and Capabilities (Section 4.3) | 30% |
| CRITERION TWO: Qualifications of Project Team (Section 4.4) | 30% |
| CRITERION THREE: Quality of Design (Section 4.5) | 15% |
| CRITERION FOUR: Respondent's Ability to Provide Design Build Services (Section 4.6) | 15% |
| CRITERION FIVE: Respondent's Efforts to Attain HUB/MWBE Participation Goal (Section 4.7) | 10% |
| Total of Weighted Value | 100% |

4.3 CRITERION 1 – Relevant Experience and Capabilities. Relevant experience and capabilities will be judged through a review of completed projects of similar components and complexity as the Project.

4.3.1 Provide data for no more than five (5) but no less than two (3) projects, in order of relevance, that best illustrate Respondent's experience and current capabilities relevant to the Project (the ***"Representative Projects"***). For each Representative Project, identify the Project Team members that have been involved **firsthand** in providing primary services, and provide the following information:

4.3.1.1 Project name and location.

4.3.1.2 Brief project description including:

- 4.3.1.2.1. Type of construction (new, renovation, or expansion);
- 4.3.1.2.2. Size in GSF, scope and contract delivery method;
- 4.3.1.2.3. Color images (photographic or machine reproductions);
- 4.3.1.2.4. Construction cost estimate determined by Respondent during pre-construction;
- 4.3.1.2.5. Final construction cost;
- 4.3.1.2.6. Initial planned completion date;
- 4.3.1.2.7. Actual notice to proceed, substantial completion, and final completion dates for construction services;
- 4.3.1.2.8. Name of project manager (individual responsible to the owner for the overall success of the project);
- 4.3.1.2.9. Name of project superintendent (individual responsible for coordinating the day-to-day work);
- 4.3.1.2.10. Name of project architect (responsible to the owner for coordinating day-to-day work);
- 4.3.1.2.11. Name of project designer (responsible to the owner for design concepts);
- 4.3.1.2.12. Names of mechanical, plumbing and electrical subcontractors;
- 4.3.1.2.13. Names of other key consulting firms employed on the project; and
- 4.3.1.2.14. If any member of Respondent's Project Team was directly involved, his or her name and title on such Representative Project.

4.3.1.3 The owner's name, and the address, email address and telephone number of an individual employed with the owner that Owner can contact for references. Identify the length of Respondent's business relationship with the owner.

4.3.2 Representative Projects shall be considered relevant based on specific project participation and experience with the Respondent.

4.3.3 Owner reserves the right to contact the listed references and any other references at any time during the RFQ or RFP process. Your Qualifications should specifically acknowledge your approval for Owner to contact references as set forth in Sections 4.3.1.3 and 4.3.1.4, and

4.3.4 Identify a maximum of three (3) completed projects of any type for which Respondent has received an award for design and/or construction excellence from a recognized organization and provide descriptive information for each.

4.4 CRITERION 2 – Qualifications of Project Team. The proposed design-build team shall include the Design-Build Contractor, Project Architect, and other key consultants employed for the purpose of programming, design, and construction of the Project (the **“Project Team”**). The qualifications of the Project Team will be evaluated based on the experience of the individual, primary team members, and/or consultants with special emphasis given to their experience within their assigned roles and their history of working together on other projects. Emphasis may also be given to the proximity of the primary residence of key Project Team members to the Project.

4.4.1 Provide a Project Organization Chart for your complete team and the resume of each member of the Project Team, including his/her experience with similar projects (make specific note of design-build projects for institutions of higher education in Texas), the number of years with Respondent, and city of residence. Include at least two professional references from individuals who are not associated with Respondent.

4.4.2 For each member of the Project Team, describe his/her responsibility in each of the Representative Projects identified in Section 4.3.1 and compare it with his/her anticipated responsibility in the Project.

4.4.3 Identify key consultants that are included as part of the Project Team, their role, and related experience for this Project. List other projects for which the consultant(s) has worked with Respondent.

4.4.4 Identify name, direct dial telephone number, and city of residence of Respondent's officer or principal who will have daily operational responsibility for the Project. Describe his/her experience with similar projects and number of years employed by Respondent.

4.5 CRITERION 3 – Quality of Design. Quality of design will be evaluated on the basis of aesthetic design excellence, responsiveness of the design to its setting, creative use of materials and systems, and functionality of the design including both architectural and engineering aspects. Identify a maximum of three (3) projects for which members of the Project Team had primary design responsibility. Make special reference to any that received recognition or awards from an organization for excellence. Provide no more than three (3) color photographs for each project.

4.5.1 For each qualifying project, discuss any programming challenges encountered. Explain the strategies the designer used to resolve conflicting program requirements, unusual site conditions, or other difficult project criteria.

4.5.2 Describe the design's responsiveness to community and/or campus context, creative use of materials and systems, and functionality of the design including both architectural and engineering aspects.

4.5.3 Describe the key sustainable design strategies employed and the cost savings to the owner, if any.

4.6 CRITERION 4 – Respondent's Ability to Provide Design Build Services

4.6.1 Describe your management philosophy for the Design-Build construction delivery method.

4.6.2 Describe your fiduciary responsibilities as a Design-Build contractor using GMP contracts for publicly funded projects.

4.6.3 Describe your cost estimating methods for the design and construction phases. How do you develop cost estimates and how often are they updated? For any combination of three (3) Representative Projects, provide examples of how these techniques were used and what degree of accuracy was achieved.

4.6.4 The Owner intends to accept a Guaranteed Maximum Price immediately upon award based on a project scope as defined by a Design Criteria Package provided to shortlisted firms. Describe 1) Your ability to provide a GMP based upon a Design Criteria Package; and 2) Your process for subsequently ensuring that the final Construction Documents align with the project scope in the previously accepted GMP proposal documents.

4.7 **CRITERION 5 – Respondent’s Efforts to Attain Hub/MWBE Participation Goal**

4.7.1 What are your company’s internal processes and procedures to increase HUB/MWBE participation?

4.7.2 What types of Technical Assistance does your company offer to help increase HUB/MWBE participation?

4.7.3 What type of outreach does your company conduct to help increase HUB/MWBE participation?

SECTION 5 – EXHIBITS

The following exhibits are located on the Electronic State Business Daily and hereby incorporated by reference into this RFQ:

| EXHIBITS | |
|----------|---|
| A | Project Site Map |
| B | Execution of Offer *Required* |
| C | HUB Subcontracting Plan (“HSP”) and TIP Sheet *Required* |
| D | Design Build + Letter of Intent *Required* |
| E | No Boycott Certifications |
| F | Texas Public Information Act *Required* |
| G | Corporate Response Form |
| H | Design Build Agreement |

Visit <http://www.txsmartbuy.com/esbd> and under “Agency/Texas SmartBuy Member Name”, select “University of Houston – 730”. Under “Status”, select “Posted” and click “search” to get a list of active University of Houston procurements.

Website is best viewed using Chrome.