



**REQUEST FOR QUALIFICATIONS /  
REQUEST FOR PROPOSALS  
FOR CONSTRUCTION MANAGER-AT-RISK**

**for  
Restoration of the  
Historic Comal County Courthouse**

**RFP # 040-2010-300**

**August 6, 2010**

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COMAL COUNTY, TEXAS  
REQUEST FOR QUALIFICATIONS/REQUEST FOR PROPOSALS (RFQ/RFP)  
CONSTRUCTION MANAGER AT RISK  
for the  
RESTORATION OF THE HISTORIC COMAL COUNTY COURTHOUSE

**SECTION I - GENERAL**

In accordance with the provisions of Texas Local Government Code, Section 271.118, Comal County is requesting qualifications and proposals for a Construction-Manager-at-Risk (CMR) to undertake a construction project at the historic Comal County Courthouse, hereinafter described as the "Project". The selection of the Construction Manager at Risk shall follow the two-step selection process as defined in the statute.

The Project includes demolition of building additions, salvage of stone for reuse in the reconstruction of original exterior walls and chimney, concrete, window replacement and restoration, masonry restoration, limited roofing, MEP systems replacement, installation of a new fire sprinkler system, doors and hardware, interior demolition and finish out. The Project will include reconstruction of missing elements and restoration of existing historic features that will require specialized trade experience as demonstrated through qualifications. Specialized trades will include masonry restoration, wood window restoration and reproduction, tile setting, plaster, finish carpentry restoration, hardware restoration, mechanical, electrical, plumbing, and fire sprinkler systems installation, and shall be furnished in accordance with Texas Local Government Code, Section 271.118 (h). Additional project information is included in Section II.

**COUNTY POINT OF CONTACT (POC)**

The County designates the following person as its representative and Point-of-Contact for this solicitation. The Company shall restrict all contact with the County and direct all questions regarding this solicitation, including questions regarding terms and conditions in writing at least four (4) days prior to the scheduled time for the RFQ or RFP opening to the Point-of-Contact person. RFQ and RFP are due on the date and time shown in the schedule on page two (2) to the Point of Contact person.

**Comal County Purchasing Office**  
Ramona Womack, CPPB  
County Purchasing Director  
1297 Church Hill Drive, New Braunfels, Texas 78130  
e-mail: [purrjw@co.comal.tx.us](mailto:purrjw@co.comal.tx.us)  
fax: 830/608-2031

All inquires will result in written responses with copies posted to [http://www.co.comal.tx.us/PUR\\_BIDS.htm](http://www.co.comal.tx.us/PUR_BIDS.htm). If respondents do not have Internet access, copies may be obtained through the Point-of-Contact listed above.

Upon issuance of this RFP, beside written inquiries as described above, other employees and representatives of Comal County will not answer questions or otherwise discuss the contents of the RFP with any potential Construction Manager or their representatives. Failure to observe this restriction may result in disqualification of any subsequent response. This restriction does not preclude discussions between affected parties for the purpose of conducting business unrelated to this proposal.

COMAL COUNTY reserves the right, in its sole judgment and discretion, to accept or reject any and all qualifications and proposals, and to waive minor technicalities and errors in the best interest of the County.

### SCHEDULE

County issues RFQ/RFP .....	August 6, 2010
RFQ Submittal Deadline/Opening Date .....	August 20, 2010, 2:00 pm
County issues short list of 5 or fewer qualified Companies .....	August 26, 2010
County conducts Pre-Proposal Conference (mandatory) .....	August 30, 2010, 10:00 am
Second walk through (optional) .....	September 10, 2010, 10:00 am
Deadline for Questions.....	September 13, 2010, 2:00 pm
RFP Submittal Deadline/Opening Date .....	September 17, 2010, 2:00 pm
County interviews Applicants (optional) .....	September 27-30, 2010
County executes Agreement .....	October 14, 2010
County issues Notice to Proceed for Construction .....	October 20, 2010
County accepts Substantial Completion of Construction .....	no later than September 30, 2012
Construction Manager achieves	
Final Completion of Construction .....	no later than October 30, 2012

All times noted within this document is local time to New Braunfels, Texas.

Note that all required submittals must be received and date-stamped in the office of the County Point of Contact by the deadline dates and times shown. Only hard copies of required submittals will be accepted; submittals will not be accepted via e-mail or fax. Submittals received after the deadlines indicated will not be considered for the award of the Contract and shall be considered void and unacceptable in accordance with state law.

Proposals submitted constitute an offer for a period of ninety (90) calendar days or until selection is made by Comal County.

If Comal County has not made an award within ninety (90) days after RFP responses are received, respondents may withdraw their responses without prejudice.

### A/E Team

Architect	Volz & Associates, Inc., Tere O'Connell, AIA 1105 W. 42 <sup>nd</sup> Street, Austin, Texas 78756
MEP Engineering	HMG & Associates, Inc., Bill Harris, P.E., Austin, Texas
Structural Engineering	Sparks Engineering, Inc., Pat Sparks, P.E., Round Rock, Texas
Civil Engineering	Baker-Aicklen & Associates, Inc., Don Pool, P.E., San Marcos, Texas

## **SECTION II - SCOPE OF WORK**

### **Historical Background**

The Comal County Courthouse was designed by architect J. Riely Gordon and constructed in 1898 by the Austin-based contractor Fischer & Lambie for a final cost of approximately \$37,000. It is the last courthouse in Texas designed by Gordon using the cruciform plan and Romanesque Revival style. A jail addition was constructed and the District Courtroom was significantly remodeled in 1931. A second addition was constructed to the east of the building in 1952. Subsequent remodelings of the building occurred in 1965, 1974, and 1987. The County received a grant in early 2010 from the Texas Historical Commission to restore the courthouse to its 1898 appearance.

### **Project Description**

#### **GENERAL**

The proposed work will primarily restore the historic exterior and primary interior spaces to their original 1898 appearance. The work will include but is not limited to: demolition of the 1931 and 1952 additions, the removal of the 1987 sky-bridge, the reconstruction of the double-height District Courtroom, reconstruction of the north exterior wall and chimney, restoration of historic features, and rehabilitation that complies with American Disabilities Act (ADA) requirements. Work will also include the replacement and upgrade of electrical and mechanical systems, supplemental modern lighting, and installation of a fire sprinkler system.

#### **EXTERIOR**

Demolition for the building exterior and site includes the complete removal of the 1931 jail, the 1952 addition, the existing ramp, sky-bridge, aluminum sash windows and terrazzo at the porticos.

Restoration of the building will include masonry cleaning, repair, repointing as well as the reconstruction of the original north wall and missing chimney where the jail was attached. These changes will require some accompanying roof repairs to the existing standing seam roof and the recreation of gutter and downspouts at the point of demolition.

The uppermost level of the tower will receive a completely new roof. Any additional roof modifications will be minor, relating to the new fresh air intakes, and will not be visible from the public views at the south or east sides of the building. The two currently enclosed entry porticos will be fully restored. The clockworks and bells will be repaired under an allowance. Portions of the structural framing for the bells will be repaired and replaced, and the roof ladder will be replaced in kind.

Existing aluminum double hung sash will be replaced with reproduction wood sash. Existing original casement and transom windows will be restored.

Work includes masonry repairs and window reconstruction affiliated with the removal of the sky-bridge. For site restoration, the work will backfill and regrade the lot for the installation of new sidewalks and accessible parking; irrigation systems and landscaping will also be rehabilitated. A new utility and waste enclosure and ramp will be added at the northern most (least public) corner of the site.

## **INTERIOR**

Interior demolition will include excavation at the basement and the removal of existing building systems. Concrete flooring at the basement, first floor and part of the second and third floors will be removed and replaced. All existing terrazzo flooring and acoustical tile ceilings will be removed. Modern walls and finishes will be removed and infilled openings will be reopened.

One pair of original historic entry doors remains, and they will provide the template for the reconstruction for the other three entries. There is enough remaining original hardware to show the components of a complete set including hardware for the operable transoms over the doors and windows. It is simple in form, with a distinctive "flame copper" finish. Reproduction sash locks and pulls will be used for new window hardware. The skylight at the stairwell will be designed with a custom steel frame closely similar to the original design. For window treatments new roller shades and black out shades will be installed.

Architectural woodwork will include the replacement of missing rails, restoration of existing rails, and reconstruction of the dais in the District and First Floor Courtrooms. All damaged or missing running trim, picture mold, baseboards, door and window frames will be repaired or replaced as necessary. Finish woodwork for the rebuilt historic balcony and columns will be recreated and the wood cornice will be restored in the District Courtroom.

Decorative metal repairs and fabrication are scheduled for gates, handrails at the new ramp and entries, column capitals and bases in the District courtroom and repairs for the cast metal interior stair.

Wall and ceiling plaster will be repaired, and a new skim coat of plaster will be applied throughout. Acoustical plaster will be installed at the courtroom ceiling. Ornamental plaster capital reconstruction will be performed in the District Courtroom. The decorative finishes and wallpaper banding seen in historic courtroom photos will be reproduced. Paint finishes will match the historic colors and appearance throughout the building. New ceramic tile flooring and walls and all related appurtenances will be installed at new restrooms. Floor finishes in the corridors will be restored; existing tile at the third floor corridor will be refurbished and reset, while missing encaustic and geometric mosaic tiles at the first and second floors and entry porticos will be reproduced. New wood flooring will be installed in the offices, courtrooms and the court balcony.

Furnishings for the courthouse will include the reproduction of attorney's tables and lectern in the District Courtroom as seen in historic photos, and reproduction of audience seating in the District Courtroom.

## **CODE COMPLIANCE - TEXAS ACCESSIBILITY STANDARDS**

Replacement of the existing elevator is scheduled to add a basement stop. The existing exterior ramp will be removed and rebuilt to comply with ADA/TAS requirements. New handicap parking spaces will be created and appropriate curb ramps and signage will also be incorporated. Additional identification and directional signage will be provided as necessary.

## **STRUCTURAL**

Structural repairs and modifications include a new elevator hoist way and pit, enlarging existing and creating new masonry openings for ductwork penetrations and circulation in the basement. At the Annex roof, modifications will be required to support the new chiller. Excavation and underpinning at the foundation will be required for access, mechanical space, and circulation. A new concrete floor will

be poured throughout the basement, first floor and at the second floor restrooms. Structural metals include decking, joists and columns at the first floor, west bay, second and third floor. Steel lintels will be installed at masonry openings and steel columns and concealed framing will support the reconstructed District Courtroom balcony. The structural modifications include the reconstruction of the arched partition wall of the District Courtroom.

### **MECHANICAL SYSTEMS**

A new central HVAC system will be installed with a 4 pipe chiller system that will be located on the roof of the Annex. The air diffusers will be carefully integrated with the historic character of the courthouse.

### **ELECTRICAL SYSTEMS**

The new electrical system will include all new outlets, switches, panel-boards, conduit and wiring. Conduit will be concealed in the masonry and plaster of occupied spaces. The system will also provide new lighting throughout the building. Reconstructed historic lighting in the corridors and courtrooms will be supplemented by modern lighting as needed to achieve appropriate light levels. Office lighting will be fluorescents to providing 65 foot-candles of light at work surfaces, while the basement lighting will be energy efficient fluorescents to provide 30-50 foot-candles at work surfaces. Electrical equipment, such as emergency generator hook up, panels and transformer, will be relocated to Annex. Historic lighting design and locations will be based upon historic photographs of wall sconces and balcony lights. Site lighting will include additional light standards in new locations to match existing found on the Main Plaza.

Emergency lighting, exit signs, and audible and visual alarms will be installed throughout the building to meet code requirements. A new AV system will also be installed in the main courtroom.

### **PLUMBING SYSTEMS**

The new plumbing system will include stacked restrooms, ADA compliant drinking fountains as well as all new fixtures and piping.

### **LIGHTNING PROTECTION SYSTEMS AND FIRE PROTECTION SYSTEMS**

The existing lightning protection system will be repaired once the north roof is reconstructed. A new fire detection system will be installed throughout the building, including basement and attic spaces to provide an additional level of protection to protect occupants and historic building fabric. Corridor sprinklers shall be wall-mounted, with the piping run in concealed fur-outs in the offices. This work will also provide an ADA compliant emergency warning system.

### **ESTIMATED CONSTRUCTION COSTS**

Bid Estimate	\$7,658,000
GMP Budget	\$8,200,000

**SECTION III – SUBMITTAL REQUIREMENTS**

**A. General Submittal Requirements**

1. Respondents to this Solicitation are responsible for all costs related to preparation and delivery of required submittals.
2. Submittals shall be delivered to the Comal County Purchasing Office by hand delivery, U.S. Postal Service, overnight or express mail. Faxed or e-mailed submissions will not be accepted. Comal County will not be responsible for failure of service of any delivery method.
3. Submittals should be placed in a separate envelope/package and correctly identified with the County Proposal Number, submittal deadline/opening date and time. It is the respondent's responsibility to appropriately mark and deliver the submittals to Comal County by the specified dates and times.
4. Receipt of all addenda to this Solicitation should be acknowledged by attaching a signed copy of each addendum cover sheet.
5. Each submittal shall include one (1) unbound original and seven (7) bound copies. Pages should be numbered and include a table of contents. Tabs are encouraged for the Step 1 submittal.
6. All submittals shall become the property of Comal County after the submittal deadline/opening date. Information, documentation, and other material in connection with this solicitation or any resulting contract may be subject to public disclosure pursuant to Chapter 552 of the Texas Government Code (the "Public Information Act") after the solicitation process is completed. Respondent may request protection of trade and confidential information from public release by clearly marking each page on which this information appears with "Confidential" in bold face type at least **14 point font**; however, all information submitted is subject to the Act and considered for release.

**B. Step One: Request for Qualifications (Exhibits A -D)**

1. The Company's past performance record, proposed personnel, experience with applicable skilled trades, project methodology, and experience with historic preservation projects of similar size and scope shall be evaluated by the County to determine qualified applicants to advance to the next step. The responses will be evaluated using the following point distribution:
  - a. Demonstrated Experience 25 points
  - b. Experience on Historical Buildings 30 points
  - c. Project Team 20 points
  - d. Demonstrated Schedule Compliance on Past Projects 10 points
  - e. Demonstrated Budget Management 10 points
  - f. Successful Demonstrated Local Participation 5 points
2. The following are mandatory requirements of the CMR as demonstrated through this submittal:
  - a. Certificate of Authority to do business in Texas,

- b. Demonstrated experience with the restoration of historic buildings including a minimum of three (3) projects of similar scope and complexity completed within the last ten (10) years, as demonstrated in the Step 1 qualifications process,
  - c. Demonstration of bonding capacity to meet the requirements of this project,
  - d. Compliance with Family Code and Tax Record Requirements,
  - e. No pending litigation on current or past projects, and
  - f. Demonstration of Safety History.
3. Qualifications shall not include any information regarding respondent's fees, pricing, or other compensation. Such information will be solicited from firms qualified by the County to participate in Step 2 of the selection process.
  4. Required Attachments:
    - a. Certificate of Authority to do business in Texas
    - b. Letter of Intent from Surety (ref requirements in Exhibit A)
    - c. Completed Safety Record Questionnaire (Exhibit B)
    - d. Completed Non-Collusion/Anti-Trust Affidavit (Exhibit C)
    - e. Completed Family Code and Tax Record Verification (Exhibit D)

**C. Step Two: Request for Proposals (Exhibit E)**

Fee Proposal

1. In Step 2, the County shall invite five (5) or fewer qualified Companies to provide fee proposals. This step will include a mandatory Pre-Proposal Conference, scheduled for 10:00 am August 30, 2010, commencing at the main entry of the Courthouse. **100% Construction Documents will be provided at this time.**
2. The fee proposal shall include all requested information. Incomplete proposals may be considered unresponsive.
3. The costs and terms offered in Step 2 fee proposals will not be made public until after contract award. Only the names of the Companies who submitted proposals will be made public.
4. Comal County shall select the Company that submits the proposal that offers the best value for the County based on the published selection criteria and on its ranking evaluation. Comal County shall first attempt to negotiate a contract with the selected Company. If Comal County is unable to negotiate a satisfactory contract with the selected Company, Comal County shall, formally and in writing, end negotiations with that Company and proceed to negotiate with the next Company in the order of the selection ranking until a contract is reached or negotiations with all ranked Companies end.
5. Respondents are advised that the Texas Prevailing Wage Law will be administered in accordance with State requirements. The penalty for violation of prevailing wage rates has been increased from \$10.00 per underpaid worker per day or portion thereof to \$60.00.

6. 100% Performance and Payment Bonds will be required from the selected Company that submits the best value for the County based on the published selection criteria and its ranking evaluation.
7. Required Attachments:
  - a. Bid Bond: The Fee Proposal shall be accompanied by a bid security in the form of a bid bond, certified and/or cashier's check (on a solvent bank in the State of Texas) drawn to the order of the Comal County, in the sum of not less than five percent (5%) of the Line 5 of the Fee Proposal. No other form of security will be accepted.
    - i. Should the contractor fail, neglect, or refuse to begin performance of the contract after receiving the award, said security will be forfeited to Comal County. Performance shall be considered begun upon acknowledgement of the contract award and the furnishing of all required security bonds and insurance coverage.
    - ii. Bid security furnished by the successful Company will be returned when a Notice to Proceed is issued. Bid security furnished by unsuccessful Company will be returned when a contract award is made.
  - b. Signed Local Participation Plan (Exhibit F).

Evaluation for Request for Proposals

Comal County intends to award the Contract for Construction to the Company who successfully demonstrates the best value to the County in accordance with this selection process. An evaluation committee established by Commissioners Court will evaluate the proposals. The committee includes employees of Comal County and the project architect (as a non-voting member), and may include other impartial individuals. The final selection criteria will glean important elements from the Step 1 submittal in the final evaluation of the submittals. The evaluation committee will evaluate and score each proposal based on the following criteria.

**1. Proposal Pricing & Schedule (20 Points)**

Evaluation will be based upon the fully completed Fee Proposal and all required bonds.

**2. Interviews (30 Points)**

Interviews will further expand on the qualifications and pricing information provided in the Company's response to this RFP. The following will be expected during an interview:

1. A short presentation (approx. 10 - 15 minutes) detailing company history and projects relevant to the current project, and confirmation of information presented in the submittal.
2. Attendance by team members assigned to the project to represent themselves as to their relative experience and proposed involvement in the project. Representation by the Project Manager is key in this interview.

**3. References (20 Points)**

Information gathered in Step 1 – Qualifications will be incorporated into this criteria.

**4. Demonstrated Ability to Accurately Estimate Budget and Time (20 Points)**

Information gathered in Step 1 – Qualifications will be incorporated into this criteria.

**5. Demonstrated experience with Subcontractors and Local Opportunity Plan (10 Points)**

In addition to information gathered in Step 1 – Qualifications, this criteria requires a completed Local Opportunity Plan (Exhibit F).

**SECTION IV – AWARD OF CONTRACT**

The evaluation committee will determine if discussion and/or Best and Final Offers are necessary. Award of a contract may be made without discussions or Best and Final Offers, if in the best interest of the County. The evaluation committee may determine that discussions are necessary to clarify or verify a written proposal. Comal County may, at its discretion, elect to have respondents provide oral presentations of their proposals. A request for Best and Final Offer is at the sole discretion of Comal County and will be requested in writing. The evaluation committee will evaluate the finalists and make a recommendation for award to Commissioners Court. Commissioners Court, in its sole discretion, has final approval and will make the award of contract.

The Contract used for the project shall be AIA Document A133-2009, as amended, Standard Form of Agreement Between Owner and Construction Manager as Constructor, where the basis of payment is the Cost of the Work Plus a Fee with a Guaranteed Maximum Price.

**Right to Audit:**

The Construction Manager understands that acceptance of funds under this contract acts as acceptance of the authority of the State Auditor’s Office, Texas Historical Commission, or Comal County to conduct an audit or investigation in connection with those funds. The Construction Manager further agrees to cooperate fully with the above parties in the conduct of the audit or investigation, including providing all records requested. The Construction Manager shall ensure that this clause concerning the authority to audit funds received indirectly by subcontractors through the Construction Manager and the requirement to cooperate is included in any subcontract it awards.

**Public Disclosure:**

No public disclosures or news releases pertaining to this contract shall be made without prior written approval of Comal County.

**EXHIBIT A - STATEMENT OF QUALIFICATIONS**

**I. DEMONSTRATED EXPERIENCE (25 POINTS + MANDATORY REQUIREMENTS)**

**A. STATEMENT OF QUALIFICATIONS AND AVAILABILITY TO UNDERTAKE THE PROJECT**

1. Provide a statement of interest for the Project including a narrative describing the Company's unique qualifications as they pertain to this particular Project.
2. Provide a statement on the availability and commitment of the Company, its principal(s) and assigned professionals to undertake the Project.

**B. ABILITY TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES (MANDATORY)**

1. Provide the following information on your Company:
  - a. **Volume (past 5 years)**
    - i. Annual number, value and percent change of contracts in Texas per year
    - ii. Annual number, value and percent change of contracts nationally per year
  - b. **Revenues:** Annual revenue totals and percent change per year (past 5 years)
  - c. **Bonding**
    - i. Total bonding capacity
    - ii. Available bonding capacity and current backlog
2. Attach a letter of intent from a surety company indicating your firm's ability to bond for the entire construction cost of the project. The surety shall acknowledge that the firm is eligible for bonding every stage/phase of the project, with a potential maximum construction cost of up to \$8,200,000.
3. Identify if your firm is currently for sale or involved in any transaction to expand or to become acquired by another business entity. If so, please explain the impact both in organization and company direction.
4. Provide details of any past or pending litigation, or claims filed, against your firm that may affect your performance under a Contract with the County.
5. Identify if your firm is currently in default on any loan agreement or financing agreement with any bank, financial institution, or other entity. If so, specify date(s), details, circumstances, and prospects for resolution.
6. Identify any relationship by family relation, business associate, capital funding agreement, or any other such kinship between your firm and any employee or elected official of Comal County.

**C. ABILITY TO IDENTIFY AND RESOLVE PROBLEMS ON PAST PROJECTS**

1. Describe your experience with renovation/expansion projects immediately adjacent to occupied facilities and in urban environments.
2. For any three (3) projects listed in response to Criteria Two (below), describe any conflicts with the Owner, Consultants, Architect/Engineer, or subcontractors and describe the methods used by the Company to resolve those conflicts.

3. Provide examples of preconstruction services provided by your firm that creatively incorporated mechanical, electrical, and plumbing solutions in historic or load bearing masonry structures.

## **II. EXPERIENCE ON HISTORICAL BUILDINGS (30 POINTS + MANDATORY)**

### **A. PAST PERFORMANCE ON REPRESENTATIVE PROJECTS**

1. Identify and describe the proposed Team's past experience for providing Construction Manager at Risk Services that are MOST RELATED TO THIS PROJECT within the last ten (10) years. Include requested information for a minimum of three to five (3-5) projects in order of applicability, with the most relevant project listed first, as listed below:
  - a. Project name, location, and description
  - b. Type of construction (new, renovation, or addition)
  - c. Initial contract amount
  - d. Final construction cost
  - e. Final project size in gross square feet
  - f. Date of Contract
  - g. Date of Final Completion
  - h. Project Manager
  - i. Project Superintendent
  - j. Photograph(s) of the project
  - k. References: Include the name, company names, and phone numbers for the following individuals for each project listed above:
    - i. The Owner's representative who served as the day-to-day liaison during the design and construction phases of the project, including telephone number and length of business relationship.
    - ii. Architect/Engineer's representative who served as the day-to-day liaison during the construction phase of the project, including telephone number and length of business relationship.

References shall be considered relevant based on specific project participation and experience with the Company. The County or its representatives reserves the right to contact references during any part of this process. The County reserves the right to contact any other references at any time during the RFQ/P process.

2. Identify a maximum of three (3) completed projects, of any type, for which your firm has received an award for construction excellence from a recognized organization and provide descriptive information for each.

### **B. KNOWLEDGE OF CURRENT CONSTRUCTION METHODOLOGIES, TECHNOLOGIES, AND BEST PRACTICES SPECIFICALLY RELATED TO HISTORIC PROJECTS**

1. Describe your quality assurance program. Explain the methods used to ensure quality control during the Construction phase of a project. Provide specific examples of how these techniques or procedures were used from any three (3) projects listed above.
2. Provide any other details regarding special services, products, advantages or other benefits that will be, or may be offered to the County by the Company in completing this project.

### **III. QUALIFICATIONS OF CONSTRUCTION MANAGER AT RISK TEAM (20 POINTS)**

1. Describe, in one to three paragraphs, your management philosophy for the Construction Manager at Risk construction delivery method.
2. Provide resumes for the proposed Project Manager and Project Superintendent that will be directly involved in the Project, including their experience with similar historic and load bearing masonry projects, the number of years with the company, and their city(s) of residence.
3. Indicate the estimated percent of time the proposed Project Manager and Project Superintendent will be involved in the Project for Pre-construction and Construction Services.

### **IV. SCHEDULE COMPLIANCE (10 POINTS)**

1. Describe how your company will develop, maintain and update the schedule for this project during construction. Include information on project management software and processes used by your company.
2. Describe your approach to assuring timely completion of this project, including methods for schedule recovery, if necessary.
3. From any three (3) of the projects listed in response to Criteria Two, provide examples of how these techniques were used, including specific scheduling challenges/requirements and actual solutions.

### **IV. COST CONTROL (10 POINTS)**

1. Describe your fiduciary responsibility as a Construction Manager at Risk using Guaranteed Maximum Price contracts for publicly funded projects.
2. Describe your methodology for working with the Project Architect/Engineer and their consultants to deliver a Guaranteed Maximum Price and to maintain the GMP throughout the design and construction process.
3. Describe your cost control methods. From any of three (3) projects listed in response to Criteria Two, describe how the estimates were developed, how often they were updated and the degree of accuracy achieved.
4. Provide an example of a successful constructability program used to maintain project budgets without sacrificing quality.
5. Provide a sample of a cost estimate used to establish a contract amount from any project listed.

### **V. FAMILIARITY WITH LOCAL TRADES AND ABILITY TO IDENTIFY AND WORK WITH SKILLED TRADES (5 POINTS)**

1. With reference to the scope information included in the Project Description of this document, provide a list of skilled trades people and subcontractors that you may contact for bidding.
2. Describe your knowledge and familiarity with the local subcontracting community in Comal County.
3. Describe your methodology for advertising, evaluating and selecting specialty skilled trade contractors as a CMR in accordance with Local Government Code Section 271.118(h).

**EXHIBIT B - SAFETY RECORD QUESTIONNAIRE**

Comal County will consider the safety records of potential contractors prior to awarding a contract for construction. Pursuant to Local Government Code Section 262.0275, Comal County hereby adopts the following written definition and criteria for accurately determining the safety record of proposed Contractor on this project:

That Comal County shall determine at its discretion the disqualification of any bidder which, in response to the following two questions, reveals more than one case in which final orders have been entered by the Occupational Safety and Health Review Commission (OSHRC) against the bidder, or the firm, corporation, partnership, or institution represented by the bidder, or anyone acting for such firm, corporation, partnership, or institution, for serious violations of OSHA regulations within the past three years; and/or to disqualify any bidder which in response to the following two questions, reveals that the bidder, or the firm, corporation, partnership or institution represented by the bidder, or anyone acting for such firm, corporation, partnership or institution, has been convicted of a criminal offense within the past ten years which resulted in a serious bodily injury or death.

In order to obtain proper information from bidders so that Comal County may consider the safety records of potential contractors prior to awarding bid on county contracts, Comal County requires that bidders answer the following two questions to be submitted with their bids:

1. Has the Bidder, or the firm, corporation, partnership, or institution represented by the Bidder, or anyone acting for such firm, corporation, partnership, or institution, received citation for violations of OSHA within the past three years?

Yes \_\_\_\_\_ No \_\_\_\_\_

If the Bidder has indicated YES for question above, the Bidder shall provide to Comal County, with its bid submission, the following information with respect to each citation: Date of citation, location of establishment inspected, category of citation, final disposition of citation, and penalty assessed.

2. Has the Bidder, or the firm, corporation, partnership, or institution represented by the Bidder, or anyone acting for such firm, corporation, partnership, or institution, ever been convicted of a criminal offense which resulted in serious bodily injury or death?

Yes \_\_\_\_\_ No \_\_\_\_\_

If the Bidder has indicated YES for question above, the Bidder shall provide to Comal County, with its bid submission, the following information with respect to each citation: Date of offense, County where offense occurred, type of offense, final disposition of offense, and penalty assessed.

**ACKNOWLEDGEMENT:**

THE STATE OF TEXAS

COUNTY OF \_\_\_\_\_

I certify that I have made no willful misrepresentations in this Questionnaire, nor have I withheld information in my statements and answers to questions. I am aware that the information given by me in this questionnaire will be investigated, with my full permission, and that any misrepresentations or omissions may cause my bid to be rejected.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

**EXHIBIT C –NON-COLLUSION/ANTI-TRUST AFFADAVIT**

The Company has not given, offered to give, nor intends to give at anytime hereafter, any economic opportunity, future employment, gift, loan gratuity, special discount, trip, favor, or service to a public servant in connection with the submitted response. Failure to sign this document or signing it with a false statement shall void the submitted offer or any resulting contracts.

Neither the Company or the firm, corporation, partnership, or institution represented by the Company or 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, nor communicated directly or indirectly the offer made to any competitor or any other person engaged in such line of business. The Company's signature herein assigns to the County any and all claims for overcharges associated with his contract for this project, which arise under the Antitrust Laws of the United States, 15 USCA, Section 1, Et. Seq. (1973). By signing this proposal, Company certifies that if a Texas address is shown as its address, Company qualifies as a Texas Resident Bidder as defined in Rule 1 TAC 111.2.

**RESPECTFULLY SUBMITTED:**

Authorized Signature:

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Printed Name:

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Title:

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Company Name:

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Company's Corporate Charter No.:

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**EXHIBIT D – TAX RECORD AND FAMILY CODE REQUIREMENTS**

The Company's signature herein certifies that the firm is not currently delinquent in the payment of any debt owed to the State of Texas; including but not limited to franchise taxes and child support, and that any payments due the firm under this contract will be applied to that debt.

**Texas Family Code Compliance Requirement:**

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. The response includes the names and Social Security Numbers of each person with a minimum of twenty-five percent (25%) ownership of the business entity submitting the response.

Firm Owner(s), Partners, Sole Proprietors, Share Holder(s) of twenty-five percent (25%) interest:

Name:	SSN:
Name:	SSN:
Name:	SSN:
Name:	SSN:

**RESPECTFULLY SUBMITTED:**

Authorized Signature:

Printed Name:

Title:

Company Name:

Company's Corporate Charter No.:

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**EXHIBIT E – PROPOSAL**

**PROJECT**

Project Number:	040-2010-300
Project Title:	Comal County Courthouse Restoration
Owner:	Comal County ("County")
Project Location:	199 Main Plaza, New Braunfels, Texas 78130

**COMPANY**

Company Name:	
Contact Person:	
Contact Phone:	
Contact E-Mail:	
Physical Address:	
City, State, Zip:	

Having carefully examined the RFP, solicitation documents, drawings and specifications for the referenced project, as well as the premises and conditions affecting the work, as prepared by Volz & Associates, Inc., we hereby propose to furnish all labor, materials, and equipment necessary to complete the work for the following amounts and times.

**SCHEDULE**

The Company, by the signature of their authorized representative below, further agrees that, if awarded the contract, and upon the completion of the contract documents, the construction phase of the work will be substantially complete by the date indicated herein.

**Projected Project Completion** (months from date of Notice to Proceed) \_\_\_\_\_

*not to exceed 24 months from Notice to Proceed*

**FEE PROPOSAL**

1	Pre Construction Services (Exhibit G)		
2	Construction Overhead & Profit		%
3	Staffing (line 11)		\$-
4	General Conditions – Lump Sum (from line 44 below)		\$-
5	Total Cost (Pre-Construction Services + Staffing + General Conditions)		\$-
<b>Staffing</b>		<b>% of time dedicated to this Project</b>	
6	Project Manager		
7	Project Superintendent		
8	Project Engineer		
9	Admin		
10	Other Staff		
11	Subtotal: Personnel		\$-
<b>General Conditions</b>			
12	Performance and Payment Bond		
13	All Risk Builders Insurance		
14	General Commercial Liability Insurance		
15	Insurance rate modifier		
16	Amount of Commercial General Liability		
17	Building Permit Fee		
18	Inspections & Certificate of Occupancy		
19	Mobilization		
20	OSHA requirements		

REQUEST FOR QUALIFICATIONS/REQUEST FOR PROPOSALS  
 RESTORATION OF THE HISTORIC COMAL COUNTY COURTHOUSE

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21	Temporary Protection	
22	Field Office (including all furnishings)	
23	Computers	
24	Temporary fire extinguishers, safety equipment, & labor	
25	Office supplies	
26	Cell phone/ fax/internet services	
27	Janitorial services	
28	Temporary sanitary facilities	
29	Ice/water/first aid worker support	
30	Postage/Fed Ex/courier services	
31	Document reproduction/printing	
32	Misc. small tools and consumables	
33	Travel costs (i.e. room & per diem)	
34	Vehicle costs (i.e. lease, fuel, maintenance and repair)	
35	Vehicle insurance	
36	Project sign	
37	Construction equipment rental, freight & insurance	
38	Scaffolding (interior and exterior)	
39	Dumpsters	
40	Barricades, protections, runs, safety rails	
41	Site maintenance and clean up	
42	Record Documents	
43	Final clean up	
44	Subtotal: General Conditions	\$-

**ADDENDA**

Company acknowledges receipt of the following Addenda:

NUMBER	DATE	DATE RECEIVED

Provided the proposal is accepted, the Company, by their signature herein, agrees to initiate contract performance at time of award while furnishing all required surety bonds and insurance in accordance with the specified conditions of the Contract at the time of acceptance of the Guaranteed Maximum Price. Should the Company fail to complete these particulars by the specified date, the County may retain as forfeit the enclosed Certified Check, Cashier's Check or Bid Bond in the sum of not less than five percent (5%) of the total price of the proposal.

All statements and information prepared and submitted in the response to this RFP are current, complete and accurate.

**RESPECTFULLY SUBMITTED:**

Authorized Signature:

\_\_\_\_\_

Printed Name:

\_\_\_\_\_

Title:

\_\_\_\_\_

Company's Corporate Charter No.:

\_\_\_\_\_

If a Corporation, attach a corporation resolution or other official corporate documentation, which states that person signing this proposal is an authorized person to sign for and legally bind the corporation.

**REQUIRED ATTACHMENTS:**

1. Local Participation Plan
2. Bid Bond

**EXHIBIT F - LOCAL OPPORTUNITY PLAN**

\_\_\_\_\_ agrees to implement the following steps directed at increasing the utilization of material providers and qualified craftspeople, trades people, businesses and lower income residents within COMAL COUNTY.

- Demonstrate efforts to recruit and employ qualified craftspeople, trades people, and lower income local residents from within COMAL County through: local advertising media, signs placed at the project site, and community organizations and public or private institutions operating within and servicing the project area.
- To maintain a list of all lower income qualified residents who have applied either on their own or on referral from any source, and to employ such persons, if otherwise eligible and if a vacancy exists.
- To formally contact unions, subcontractors, and trade associations to secure their cooperation in this effort.
- To ensure that all appropriate project area business concerns are notified of pending sub-contractual opportunities.
- To maintain records, including copies of correspondence, memoranda, etc., which document that all of the above steps have been taken.
- To appoint or recruit an executive official of the company or agency as Local Opportunity Officer to coordinate the implementation of this plan.
- To maintain records of all projected work force needs for all phases of the project by occupation, trade, skill level, and number of positions and to update these projections based on the extent to which hiring meets these Local Opportunity objectives.
- To provide complete and accurate records to County as part of the Record Documents listing actual monetary amounts expended within Comal County for material and labor used in the Project.

As officers and representatives of \_\_\_\_\_, we the undersigned have read and fully agree to this Plan, and become a party to the full implementation of the program and its provisions.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**LOCAL OPPORTUNITY PLAN\***

**PROPOSED LOCAL SUBCONTRACTORS**

Name and Address of Local Provider	Trades Provided	Estimated \$ Amount to Local Business
<b>TOTALS:</b>		

**PROPOSED LOCAL MATERIAL PROVIDERS**

Name and Address of Local Provider	Materials Provided	Estimated \$ Amount to Local Business
<b>TOTALS:</b>		

**PROPOSED LOCAL LABOR PROVIDERS**

Name and Address of Local Provider	Work Classifications	Total Estimated Positions	Estimated \$ Amount to Local Business
<b>TOTALS:</b>			

- For the purposes of this document, "LOCAL" is defined as companies or persons with an active and current business address in Comal County.

**EXHIBIT G - PRE-CONSTRUCTION SCOPE OF SERVICES**

1. Within a maximum 4-week period, commencing at Notice to Proceed, provide selective interior and exterior demolition services as directed by the Architect to reveal hidden conditions. The full scope of this work will be identified to bidding Contractors in Step 2. Provide new temporary protection and repair existing protection as may be required to maintain secure and weather tight conditions.
2. Collaborate with Comal County and its architect and engineers (A&E) for a maximum of 4 weeks following Notice to Proceed to review construction documents to determine constructability, affect value engineering where feasible, and develop a guaranteed maximum price (GMP) at or below the County's budget. These services include consultation during the final portions of the design process of such as plan reviews, constructability reviews, and cost estimating.
3. Erect interior and/or exterior scaffolding as may be required to facilitate building access and maintain accepted construction schedule.
4. Obtain all required permits with the City of New Braunfels. Contact: Robert Kinsey, Building Official, City of New Braunfels, 830/221-4060.