

REQUEST FOR COMPETITIVE SEALED PROPOSALS
FOR A GENERAL CONTRACTOR

TEXAS SOUTHERN UNIVERSITY
Athletic-Weight Training Facility

RFP No.: **717-22-753**

PRE-SUBMITTAL CONFERENCE:

July 27, 2022 @ 10am

SUBMITTAL DEADLINE:

August 25, 2022 @ 2:00 PM LOCAL TIME



Prepared By:
Texas Southern University
Procurement Services
3100 Cleburne St.
Houston, Texas 77004
Procurement@TSU.edu
713-313-7887

TABLE OF CONTENTS

Section 1 - General Information and Requirements

- 1.1 General Information
- 1.2 Public Information
- 1.3 Type of Agreement
- 1.4 Clarifications and Interpretations
- 1.5 Submission of Proposals
- 1.6 Point-Of-Contact
- 1.7 Evaluation of Proposals
- 1.8 Owner's Reservation of Rights
- 1.9 Acceptance of Evaluation Methodology
- 1.10 No Reimbursement for Costs
- 1.11 Pre-Submittal Conference
- 1.12 Eligible Respondents
- 1.13 Historically Underutilized Businesses' Submittal
- 1.14 Certain Proposals and Contracts Prohibited
- 1.15 Sales and Use Taxes
- 1.16 Certification of Franchise Tax Status
- 1.17 Required Notices of Workers' Compensation Insurance Coverage
- 1.18 Prevailing Wage Rate Determination
- 1.19 Delinquency in Paying Child Support
- 1.20 Compliance With Law
- 1.21 Disclosure of Interested Parties Statute

Section 2 - Executive Summary

- 2.1 Historical Background
- 2.2 Mission Statement
- 2.3 Project Description and Scope
- 2.4 Project Planning Schedule
- 2.5 Construction Documents

Section 3 - Requirements For Competitive Sealed Proposals (Respondent's Qualifications)

- 3.1 Respondent's Ability To Provide Construction Services
- 3.2 Respondent's Ability to Provide Construction Management Services
- 3.3 Qualifications of Construction Team
- 3.4 Respondent's Past Performance on Representative Projects
- 3.5 Respondent's Project Planning and Scheduling for This Project
- 3.6 Respondent's Quality Control and Commissioning Program for This Project
- 3.7 Respondent's Safety Management Program for This Project
- 3.8 Respondent's Warranty and Service Support Program for This Project
- 3.9 Respondent's Pricing and Delivery Proposal and Execution of Offer

Section 4 - Format of Proposals

- 4.1 General Instructions
- 4.2 Page Size, Binding, Dividers and Tabs
- 4.3 Table of Contents
- 4.4 Pagination

Section 5 - Attachments to this Request for Proposals

- 5.1 Attachment A – Form 1295 (See Section 1.21)
- 5.2 Attachment B –Policy on Utilization of Historically Underutilized Businesses
- 5.3 Attachment C – Form for Respondent's Pricing and Delivery Proposal and Execution of Offer
- 5.4 Drawings and Specifications. Located at <https://tsu.box.com/s/hevw9kijfstyavx79juwqps5se6nzup>

**REQUEST FOR PROPOSALS
TEXAS SOUTHERN UNIVERSITY
ATHLETIC WEIGHT TRAINING FACILITY**

RFP No.: 717-22-753

SECTION 1 – GENERAL INFORMATION AND REQUIREMENTS

- 1.1 **GENERAL INFORMATION:** Texas Southern University (“Owner”) is soliciting Competitive Sealed Proposals (“Proposals”) for the selection of a Contractor to provide general construction and general construction subcontracting services for Texas Southern University Project **Athletic-Weight Training Facility** (“Project”), as authorized by Texas Education Code §51.783 and in accordance with the terms, conditions, and requirements set forth in this Request for Competitive Sealed Proposals (“RFP”).
- 1.1.1 This RFP is the only step for selecting a Contractor for the Project as provided by Texas Education Code §51.783(d) and provides the information necessary for an interested respondent (“Respondent”) to prepare and submit a Proposal for consideration, evaluation and ranking by the Owner.
- 1.1.2 The Owner may select the Respondent that offers the “best value” for the institution based on the published selection criteria and on the Owner’s evaluation and ranking of Proposals received in response to this solicitation. The Owner may first attempt to negotiate an Agreement with the Respondent that submits the apparent “best value” offer. The Owner may discuss with the selected Respondent options for a scope or time modification and any price change associated with any such modification. If the Owner is unable to reach an agreement with that selected Respondent, the Owner may formally end negotiations with that Respondent and proceed to the Respondent that submitted the next “best value” offer in the order of the Proposal ranking until an agreement is reached or all Proposals are rejected.
- 1.2 **PUBLIC INFORMATION:** All information, documentation, and other materials submitted in response to this solicitation are considered non-confidential, non-proprietary, or both and are subject to public disclosure under the Texas Public Information Act (*Texas Government Code*, Chapter 552.001, *et seq.*) after this solicitation is completed.
- 1.2.1 The Owner strictly complies with all statutes, court decisions, and opinions of the Texas Attorney General with respect to the disclosure of RFP information related to this solicitation.
- 1.3 **TYPE OF AGREEMENT:** Any Agreement resulting from this solicitation will be in the form of the Owner’s Standard Agreement Between Owner and Contractor as adapted for this Project (Owner’s Standard Agreement).
- 1.3.1 If awarded, the contract will be awarded as a “lump-sum” or “fixed-price” contract to the Respondent offering the “best value” to the Owner.
- 1.3.2 Any request to modify any terms or conditions of Owner’s Standard Agreement or any of the Exhibits or attachments thereto, will be taken into consideration before awarding the contract to any respondent.

1.4 CLARIFICATIONS AND INTERPRETATIONS: Any clarifications or interpretations of this RFP, or any attachments hereto that materially affect or change its requirements will be issued by the Owner as an Addendum on the TSU web site (<http://www.tsu.edu/about/administration/finance/departments/procurement-services/purchasing/purchasing-bid-posting.html>) or by the Project Architect/Project Engineer. It is the responsibility of Respondent to obtain this information in a timely manner. All such Addenda issued by the Owner before the Submittal Deadline are part of the RFP, and Respondent shall acknowledge receipt of each Addendum to the RFP and/or the Construction Documents in its Proposal.

1.4.1 No oral explanation in regard to the meaning of the solicitation documents will be made and no oral instructions will be given before the award of the contract. Discrepancies, omissions or doubts as to the meaning of any information contained in the Construction Documents shall be communicated in writing to the Owner, who shall direct the communications to the Project Architect for interpretation. Any interpretation made will be in the form of an Addendum, which will be made available to all known plan holders and its receipt by the Respondent shall be acknowledged in the Respondent's Pricing and Delivery Proposal and Execution of Offer.

1.4.2 Respondents shall consider only those clarifications and interpretations to the Construction Documents that the Project Architect issues by Addenda three (3) calendar days prior to the Submittal Deadline. Interpretations or clarifications in any other form, including oral statements, will not be binding on the Owner and should not be relied on by Respondent in preparing its Proposal.

1.5 SUBMISSION OF PROPOSALS:

1.5.1 Proposals are to include the elements, and are to be assembled, as set forth in Section 4 of this RFP. Proposals will include a proposal for the base scope of work (Base Proposal) and may include proposal(s) for any alternate scope(s) of work (Alternate Proposal(s)), when requested by Owner, and any conditions upon which the Base Proposal or any Alternate Proposal(s) are premised. Alternate Proposals, when requested, will be identified in the Respondent's Pricing and Delivery Proposal and Execution of Offer.

1.5.2 In addition, Respondent may propose alternate means, methods, materials or any combination thereof for completing the base scope of work or any alternate scope(s) of work set forth in the Construction Documents. Owner will accept alternate proposals from Respondent that identify an innovative approach for what Respondent believes to be a more efficient, streamlined method to better meet Owner's requirements. Any such "Proposed Alternate(s)" shall be considered above and beyond the Proposals submitted for the base scope of work and any respective alternate scopes of work identified by Owner in the Construction Documents. Proposed Alternates not specifically requested by Owner in the RFP must be clearly identified as a proposed alternate and must be submitted as a separate element at the same time the Proposal is submitted. In addition, any such Proposed Alternate shall clearly reference the portion of the base scope of work or Owner-defined alternate scope of work to which it applies and the related price impact that acceptance of the Proposed Alternate will have on Respondent's Pricing and Delivery Proposal.

1.5.3 The Owner will receive Proposals By:

August, 25, 2022 @ 2:00 pm CST

Physical Address for Courier Delivery:

**Texas Southern University
Hannah Hall, Suite 333
3100 Cleburne Street
Houston, Texas 77004
Attn: Sceffers Ward**

1.5.4 Respondent's Proposal is to include the following elements, which are to be submitted as described below:

1.5.5 The Owner will not acknowledge or receive any element of the Base Proposal (Respondent's Qualifications, Respondent's Pricing and Delivery Proposal and Execution of Offer, Proposed Alternates or HUB Subcontracting Plan) that are delivered by telephone, facsimile (fax) transmission, physically delivered, or electronic mail (e-mail).

1.5.7 After the HUB is approved by the Owner, all properly submitted Pricing and Delivery Proposals will be opened publicly and the names of the Respondents and any prices required to be submitted will be read aloud. **HUB approval takes one business day.**

1.5.8 Delivery of Proposals

Statement of qualifications packets are commonly submitted to TSU by one of the following methods: (1) U.S. Postal Service overnight, (2) Fed Ex overnight / Express Mail, and/or (3) Hand Deliver (recommended). Regardless of how you deliver your statement of qualifications response please note:

Due to the Coronavirus (COVID-19) pandemic there will be some amendments in the delivery of all responses that are in progress. All Respondents are to deliver their submittals to the Texas Southern University Post-Office. You may find the exact location for the Post Office (Bldg. #106_PO) on the campus map.

<http://www.tsu.edu/about/campus/pdf/tsu-campus-map.pdf>

TSU Post Office, 3100 Cleburne St, Houston, TX 77004

****Please instruct your courier NOT to go the Warehouse nor Central Receiving as this could delay delivery and could ultimately result in your response being late and rejected. Due to the current pandemic, all solicitation responses must be delivered to TSU's Post Office.**

1.5.9 Proposal Opening

Statement of qualifications will be opened at the office of the attending buyer in their office or nearby conference room, whichever is most appropriate. ("TSU is practicing social distancing, submittals will be opened, but there will **NOT** be a public opening.")

- (a) All submitted statement of qualifications become the property of TSU after the RFQ submittal deadline. The submitted statement of qualifications and accompanying documentation will not be returned.

(b) Statement of qualifications submitted shall constitute an offer for a period of one hundred twenty (120) days or until selection is made by TSU, whichever occurs earlier.

1.6 **POINT-OF-CONTACT**: The Owner designates the following person as the representative and sole Point-of-Contact for the PROPOSAL. Respondents shall restrict all contact with the Owner and direct ALL questions regarding this PROPOSAL, to the Point-of-Contact person identified in Section 1.6 only. **RESPONDENTS SHALL NOT CONTACT ANY OTHER OWNER REPRESENTATIVE AT ANY TIME FOR ANY REASON.** Any Respondent contacting any person other than the person listed in 1.6 may negatively impact the integrity of this selection process and may have its Proposal rejected in its entirety.

Sceffers Ward
Procurement Office
Email: Procurement@TSU.edu

1.6 **EVALUATION OF PROPOSALS**: The evaluation of the Proposals shall be based on the requirements described in this RFP. Approximately **Fifteen (15)** percent of the evaluation will be based on the Respondent's Pricing and Delivery Proposal; the remaining evaluation will be based on the Respondent's Qualifications (See Criteria Section 3). All properly submitted Proposals will be reviewed, evaluated, and ranked by the Owner.

1.7 **OWNER'S RESERVATION OF RIGHTS**: Owner may evaluate the Proposals based on the anticipated completion of all or any portion of the Project. Owner reserves the right to divide the Project into multiple parts, to reject any and all Proposals and re-solicit for new Proposals, 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 solicitation for any project and no such representation is intended or should be construed by the issuance of this solicitation.

1.8.1 Respondent understands and agrees that this solicitation and any subsequent Agreement ensuing from this solicitation is contingent upon approval by Owner, The Texas Southern University Board of Regents, and the Texas Higher Education Coordinating Board. Respondent understands and agrees that Owner has made no representation, written or oral, that any such approvals will actually be obtained. If any such approvals are not obtained, Respondent understands and agrees that this solicitation and any subsequent Agreement ensuing from this solicitation will be null, void, and of no effect.

1.9 **ACCEPTANCE OF EVALUATION METHODOLOGY**: By submitting its Proposal in response to this solicitation, the Respondent accepts the evaluation process and acknowledges and accepts that determination of the "best value" offer will require subjective judgments by Owner.

1.9.1 Owner reserves the right to consider any Proposal "non-responsive" if the proposed price is determined to be unreasonable in relation to those submitted with other Proposals and/or the Owner's estimate of the construction cost.

1.10 **NO REIMBURSEMENT FOR COSTS**: Respondent acknowledges and accepts that any costs incurred from the Respondent's participation in this solicitation process shall be at the sole risk and responsibility of the Respondent. Respondent submits its Proposals at its own risk and expense.

- 1.11 PRE-SUBMITTAL CONFERENCE: A pre-submittal conference will be held at the date and time described below.

[July, 27, 2022 @ 10am] local time

- 1.11.1 A guided tour of the project site **will** be included as a part of the conference agenda. This will be the only opportunity for Respondents to view the project site before the Submittal Deadline. Attendance at the pre-submittal conference is optional.
- 1.12 ELIGIBLE RESPONDENTS: Only individual firms or lawfully formed business organizations may submit Proposals. (This does not preclude a respondent from using consultants.) The Owner will contract only with the individual firm or formal organization that submits a Proposal.
- 1.13 HISTORICALLY UNDERUTILIZED BUSINESSES SUBMITTAL REQUIREMENTS: It is the policy of Texas Southern University to promote and encourage contracting and subcontracting opportunities for Historically Underutilized Businesses (HUB) in all contracts. Accordingly, the Owner has adopted its Policy on Utilization of Historically Underutilized Businesses, a copy of which is attached hereto and will be included as an Exhibit to the Agreement. The Policy applies to all contracts with an expected value of \$100,000 or more. If Owner determines that subcontracting opportunities are probable, then a HUB Subcontracting Plan is a required element of the Proposal. Failure to submit a required HUB Subcontracting Plan will result in rejection of the Proposal.

1.13.1 STATEMENT OF PROBABILITY

Owner has determined that subcontracting opportunities are probable in connection with this solicitation. Therefore, a HUB Subcontracting Plan (HSP) is required as a part of Respondent's Proposal. Respondent shall develop and administer a HSP as a part of the Respondent's Proposal in accordance with the Owner's Policy on Utilization of Historically Underutilized Businesses (HUB).

- 1.13.2 Respondent's HUB Subcontracting Plans must be attached separately inside a sealed envelope clearly labeled as "HUB Subcontracting Plan" and must have the name of the Project and the RFP Number clearly visible.

- 1.13.4 Refer to Policy on Utilization of Historically Underutilized Business (attached) and the Summary of Requirements for a detailed list of attachments required with the HSP. The applicable HUB Forms are available on the State of Texas Comptroller of Public Accounts website located at <https://comptroller.texas.gov/purchasing/vendor/hub/forms.php>

- 1.13.5 The "Statement of Probability" determines the probability for subcontracting opportunities. This determination will clarify which attachments, detailed in Figure 1 of the HUB Policy, will be required to be completed and returned.

- 1.13.6 Respondent must submit the HUB Subcontracting Plan as described in Section 4.1.2 of this RFP.

- 1.14 CERTAIN PROPOSALS AND CONTRACTS PROHIBITED: Under Section 2155.004, Texas Government Code, a state agency may not accept a proposal or award a contract that includes proposed financial participation by a person who received compensation from the agency to participate in preparing the specifications or request for proposals on which the proposal or contract is based. All vendors must certify their eligibility by acknowledging the following statement, "Under Section 2155.004, Government Code, the vendor certifies that the individual or business entity named in this

bid or contract is not ineligible to receive the specified contract and acknowledges that this contract may be terminated and payment withheld if this certification is inaccurate." If a state agency determines that an individual or business entity holding a state contract was ineligible to have the contract accepted or awarded as described above, the state agency may immediately terminate the contract without further obligation to the vendor. This section does not create a cause of action to contest a proposal or award of a state contract.

- 1.15 SALES AND USE TAXES: Section 151.311, Tax Code, as amended effective October 1, 1993, permits the purchase free of state sales and use taxes of tangible personal property to be incorporated into realty in the performance of a contract for an improvement to realty for certain exempt entities that include Texas Southern University. The section further permits the purchase tax-free of tangible personal property (other than machinery or equipment and its accessories and repair and replacement parts) for use in the performance of such a contract if the property is "necessary and essential for the performance of the contract" and "completely consumed at the job site." In addition, the section permits the purchase tax-free of a tangible service for use in the performance of such a contract if the service is performed at the job site and if "the contract expressly requires the specific service to be provided or purchased by the person performing the contract" or "the service is integral to the performance of the contract."
- 1.16 CERTIFICATION OF FRANCHISE TAX STATUS: Respondents are advised that the successful respondent will be required to submit certification of tax status as required by Chapter 171 of the Texas Tax Code. Respondent acknowledges its obligation and agrees that if awarded a contract pursuant to this solicitation, Respondent will ensure that each subcontractor and supplier that Respondent places under contract will also provide a certification of franchise tax status as required by Chapter 171 of the Texas Tax Code.
- 1.17 REQUIRED NOTICES OF WORKERS' COMPENSATION INSURANCE COVERAGE: The Texas Workers' Compensation Commission has adopted a new rule, 28 TAC, sec. 110.110, relating to REPORTING REQUIREMENTS FOR BUILDING OR CONSTRUCTION PROJECTS FOR GOVERNMENTAL ENTITIES. The rule applies to all building or construction contracts advertised for bid on or after September 1, 1994. The rule implements sec. 406.096, Texas Labor Code, which requires workers' compensation insurance coverage for all persons providing services on a building or construction project for a governmental entity. The requirements of the rule are set forth in Article 6 of the Uniform General Conditions.
- 1.18 PREVAILING WAGE RATE DETERMINATION: Respondents are advised that the Texas Prevailing Wage Law will be administered in accordance with the policies and procedures set forth in <https://apps.harriscountytexas.gov/AE/Hcpid/PrevailingWage.aspx>
- 1.19 DELINQUENCY IN PAYING CHILD SUPPORT: Under Section 231.006, Family Code, the Respondent 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 any contract ensuing from this solicitation may be terminated and payment may be withheld if this certification is inaccurate.
- 1.20 COMPLIANCE WITH LAW: Respondent is aware of, is fully informed about, and in full compliance with its obligations under existing applicable law and regulations, including Title VI of the Civil Rights Act of 1964, as amended (42 USC 2000(D)), Executive Order 11246, as amended (41 CFR60-1 and 60-2), Vietnam Era Veterans Readjustment Act of 1974, as amended (41 CFR60-250), Rehabilitation Act of 1973, as amended (41 CFR 60-741), Age Discrimination Act of 1975 (42 USC 6101 et seq.), Non-segregated Facilities (41 CFR 60-1), Omnibus Budget Reconciliation Provision, Section 952, Fair Labor Standards Act of 1938, Sections 6, 7, and 12, as amended, Immigration

Reform and Control Act of 1986, and Utilization of Small Business Concerns and Small Business Concerns Owned and Controlled by Socially and Economically Disadvantaged Individuals (PL 96-507), the Americans with Disabilities Act of 1990 (42 USC 12101 et seq.), the Civil Rights Act of 1991, and all laws and regulations and executive orders as are applicable.

- 1.21 DISCLOSURE OF INTERESTED PARTIES STATUTE. In its Proposal, Respondent must agree to comply with Section 2252.908, Texas Government Code (“Disclosure of Interested Parties Statute”) and 1 Texas Administration Code Sections 46.1 through 46.3 (“Disclosure of Interested Parties Regulations”) as implemented by the Texas Ethics Commission (“TEC”), including, among other things, providing the TEC and Owner with the information required by the Disclosure of Interested Parties Statute and the Disclosure of Interested Parties Regulations on the form promulgated by the TEC. The form will be required to be submitted to Owner prior to the countersigning of the final agreement and is not a required element of the Respondent’s Proposal.

1.21.1 Frequently Asked Questions For Disclosure of Interested Parties (Form 1295) can be viewed at https://www.ethics.state.tx.us/whatsnew/FAQ_Form1295.html.

1.21.2 Form 1295, Certificate of Interested Parties, can be viewed at <https://www.ethics.state.tx.us/forms/1295.pdf>

SECTION 2 – EXECUTIVE SUMMARY

2.1 HISTORICAL BACKGROUND:

Texas Southern University possesses an impressive array of more than 100 undergraduate and graduate programs and concentrations, a diverse faculty, 80-plus student organizations, and an extensive alumni network comprised of educators, entrepreneurs, public servants, lawyers, pilots, artists, and more, many of whom are change agents on the local, national and international stage. Nestled upon a sprawling 150-acre campus, Texas Southern University is one of the nation’s largest historically black universities.

Our academic curriculum is organized into ten colleges and schools that continue to serve as cornerstones for developing the greatest potential in leaders from various socio-economic, cultural, and ethnic backgrounds. Some of TSU’s well-known graduates include the late U.S. Congresswoman Barbara Jordan and U.S. Congressman George “Mickey” Leland.

Texas Southern University is heralded as a pioneer and has distinguished itself by producing a significant number of African American students who have obtained post-secondary and advanced degrees. The university’s enrollment has grown from 2,303 students to more than 9,700 undergraduate and graduate students from across the world. Although initially established to educate African Americans, Texas Southern University has become one of the most diverse institutions in Texas.

Facts:

President: Dr. Lesia L. Crumpton-Young

Founded: 1927

Location: Houston, Texas

Enrollment: 7,500+

Undergraduate Tuition and Fees for Texas Residents: \$7,500 annually

Employees: 1,400 staff and faculty

Registered Student Organizations: 80+

Colleges & Schools: 10

Mascot: Tigers

Colors: Maroon and Gray

2.2 MISSION STATEMENT:

Mission. Texas Southern University is a student-centered comprehensive doctoral university committed to ensuring equality, offering innovative programs that are responsive to its urban setting, and transforming diverse students into lifelong learners, engaged citizens, and creative leaders in their local, national, and global communities.

Vision Texas Southern University will become one of the nation’s preeminent comprehensive metropolitan universities. We will be recognized by the excellence of our programs, the quality of our instruction, our innovative research and creative activities, and our commitment to be a contributing partner to our community, state, nation, and world

Core Values and Priorities

Core Values

- Urban Serving Institution
- Student-Centered Institution

Priorities

- Student Success
- Academic Quality

- Excellence
- Fairness
- Collegiality and Collaboration
- Innovation
- Inclusiveness
- Leadership and Responsibility
- Culture
- Funding

2.3 PROJECT DESCRIPTION AND SCOPE:

Cited at the current site of the outdoor basketball court, just south of the practice football field, the new TSU Strength and Conditioning building is a 6,157 sq.ft. pre-engineered metal building work-out facility for the exclusive use of the TSU Athletics Department. The building is approximately 20' in height with a sloping standing seam metal roof and open ceiling. The facility will include Strength Coach Offices, Trainer's Room, Men's and Women's restrooms, and a Reception, vestibule and hallway, as well the open Weight and Training Room.

Additional scope includes, but is not limited to selective demolition of existing site work, protection of existing site amenities, new sitework and utilities, connections to City of Houston utilities in the right-of-way, new concrete foundation, pre-engineered metal building frame, pre-finished exterior canopies, insulated metal panels, building and roof insulation, aluminum storefronts, glazing and doors, gypsum board wall and ceiling installation, interior painting; porcelain floor & wall finishes, carpet, interior & exterior doors hollow metal doors, frames & hardware; ceiling tile and grid, electrical, mechanical, and plumbing systems comprised of interior and exterior lighting & electrical power, circuits and panels; fire alarm system; new domestic water, sanitary piping and plumbing fixtures; exterior air-handling units and condensers, and exposed interior ductwork.

2.4 PROJECT PLANNING SCHEDULE:

The following anticipated dates are for planning purposes only. If there is a conflict between the dates below and the Respondent's Pricing and Delivery Proposal Form, the duration shown on the Pricing and Delivery Proposal Form shall govern. The contractual dates required by the Owner of the "best value" Respondent will be identified in the executed Agreement.

Owner conducts Pre-Submittal Conference	July 27, 2022 @ 12pm
Last Day to submit Questions	August 2, 2022 @ 12pm
Owner posts Responses to Questions	August 4, 2022 @ 12pm
Due Date for Proposal Submittal	August 25, 2022 @ 2pm

2.5 CONSTRUCTION DOCUMENTS:

Construction Documents for this project are readily available at:
<https://tsu.box.com/s/hevw9kjftstyavx79juwqps5se6nzup>

SECTION 3 – REQUIREMENTS FOR REQUEST FOR PROPOSALS (RESPONDENT’S QUALIFICATIONS)

Respondents shall carefully read the information contained in the following criteria and submit a complete Proposal that includes responses to all questions in Section 3 formatted as directed in Section 4. Incomplete Proposals will be considered non-responsive and will be subject to rejection.

Bidders are expected to submit a Proposal that considers and is responsive to the terms, conditions, specifications, etc., as well as the evaluation criteria set out in this document. The criteria in which your response will be evaluated are as follows:

TABLE 1: EVALUATION PERCENTAGE

CRITERION	DESCRIPTION	VALUE
ONE:	Ability to Provide Construction Services	15.0%
TWO:	Ability to Provide Construction Management Services	15.0%
THREE:	Qualification of Construction Team	10.0%
FOUR:	Past Performances	5.0%
FIVE:	Project Planning and Scheduling for this Project	10.0%
SIX:	Quality Control and Commissioning Program for the Project	10.0%
SEVEN:	Safety Management Program for this Project	10.0%
EIGHT:	Warrenty and Service Support Program for this Project	10.0%
NINE:	Pricing and Delivery Proposal and Execution of Offer	15.0%
	Total of Weighted Value	100%

3.1 CRITERION ONE: RESPONDENT’S ABILITY TO PROVIDE CONSTRUCTION SERVICES

- 3.1.1 Provide a statement of interest for the Project including a narrative describing the Respondent’s unique abilities as they pertain to this particular Project.
- 3.1.2 Provide a statement on the availability and commitment of the Respondent, its principal(s) and assigned professionals to undertake the Project.

3.2 CRITERION TWO: RESPONDENT’S ABILITY TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES

3.2.1 Provide the following information on your firm for the past **five** (5) fiscal years:

Volume

- Annual number, value and percent change of contracts in Texas per year;
- Annual number, value and percent change of contracts nationally per year;

Revenues

- Annual revenue totals and percent change per year;

Bonding

- Total bonding capacity;
- Available bonding capacity and current backlog;

- 3.2.2 Attach a letter of intent from a surety company indicating your firm’s ability to secure bonds for the Project. The surety shall acknowledge that the firm may be bonded for the full Contract Sum established in the Project.
- 3.2.3 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 the organization and company direction.

- 3.2.4 Provide details of any past or pending litigation, or claims filed, against your firm that may affect your performance under a contract with the Owner.
- 3.2.5 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.
- 3.2.6 Does any relationship exist by relative, business associate, capital funding agreement, or any other such kinship between your firm and any Owner employee, officer or Regent? If so, please explain.
- 3.2.7 Describe any instances involving your firm in which it became necessary for an owner to engage a project's bonding company to fund the completion of your firm's work on any project.

3.3 CRITERION THREE: QUALIFICATIONS OF CONSTRUCTION TEAM

- 3.3.1 Provide resumes of the Respondent's team that will be directly involved in the Project, including their experience with similar projects, the number of years with the firm, and their city(s) of residence. Include as applicable; project managers, superintendents, assistant project managers and superintendents, expeditors, project scheduler, quality control inspectors, safety coordinator / assistant, carpenter forman, and labor forman.
- 3.3.2 For the each team member identified above, provide his/her current status, and when each team member will be available to provide construction services for this Project.
- 3.3.3 Describe, in graphic and written form, the proposed Project assignments and lines of authority and communication for each team member to be directly involved in the Project. Indicate the estimated percent of time these team members will be involved in the Construction Services.
- 3.3.4 Identify the mechanical, electrical, and plumbing subcontractors included as part of this Proposal, including their experience with similar projects, the number of years with their respective firms, and their city(ies) of residence.
- 3.3.5 Provide resumes of the project manager and superintendent that will be directly involved in the Project for the mechanical, electrical, and plumbing subcontractors identified in response to 3.3.4 above, including their experience with similar projects, the number of years with their respective firms, and their city(s) of residence.

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

- 3.4.1 Identify and describe the construction team's past experience for providing construction services that are most similar to this project within the last five (5) years. List the projects in order of priority, with the most similar project listed first. Provide the following information for each project listed:
 - Project name, location, contract delivery method (e.g. competitive bid, competitive proposal, construction manager-at-risk, design-build), and description
 - Color images (photographic or machine reproductions)
 - Final construction cost
 - Final project size in gross square feet
 - Type of construction (new, renovation, or expansion)
 - Actual notice to proceed, substantial completion, and final payment dates for construction services
 - Name of project manager (individual responsible to the Owner for the overall success of the project)
 - Name of project superintendent (individual responsible for coordinating the day to day work)
 - Names of mechanical, plumbing and electrical subcontractors

References (for each project listed above, identify the following):

- The Owner’s representative who served as the day-to-day liaison during construction, including telephone number
- Architect/Engineer’s name and representative who served as the day-to-day liaison during construction, including telephone number
- Length of business relationship with the Owner

References shall be considered relevant based on specific project participation and experience with the Respondent. Owner may contact references during any part of this process. Owner reserves the right to contact any other references at any time during the RFP solicitation process.

3.5 CRITERION FIVE: RESPONDENT’S PROJECT PLANNING AND SCHEDULING FOR THIS PROJECT

- 3.5.1 Provide a CPM Milestone Schedule for this Project using the CPM Milestone Schedule. Identify specific critical steps, phases, milestones, approvals, and procurements anticipated. Clearly identify the 10% Total Project Float required during the construction phase.
- 3.5.2 Describe what you perceive are the critical construction issues for this Project.
- 3.5.3 Describe your approach to assuring timely completion of this Project, including methods for schedule recovery, if necessary. From any three (3) of the projects listed in response to Section 3.4 or 3.5 of this RFP provide examples of how these techniques were used, including specific scheduling challenges/requirements and actual solutions.
- 3.5.4 This Project will physically connect to (or occur within) an existing building that will remain occupied during construction. Describe your plan to phase construction to minimize the impact on the occupants in the existing building. Describe the anticipated steps necessary to maintain operation of the occupied building during construction.

3.6 CRITERION SIX: RESPONDENT’S QUALITY CONTROL AND COMMISSIONING PROGRAM FOR THIS PROJECT

- 3.6.1 Describe your quality control 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 for any of three (3) projects listed in response to Section 3.4 or 3.5 of this RFP.
- 3.6.2 Describe how your quality control team will measure and control the quality of construction and commissioning performed by trade subcontractors as required by Owner specifications on this Project, and how will you address non-conforming work.
- 3.6.3 Describe how you have maintained security during the construction of an occupied facility listed in Section 3.4 or 3.5 of this RFP.
- 3.6.4 Describe your past experience dealing with congested campuses or congested site conditions for any project listed in response to Section 3.4 or 3.5 of this RFP.
- 3.6.5 Provide examples of records, reports, monitoring systems, and information management systems you will use on this Project.
- 3.6.6 Describe your plans for infection control in an occupied, fully functional hospital facility.
- 3.6.7 Describe your approach to coordinating inspections and approvals with the State Fire Marshall regarding approval of life safety systems.

3.6.8 Describe your Best Management Practices for containing storm water run-off as required by the Environmental Protection Agency's National Pollutant Discharge Elimination System and Texas Southern University's Storm Water Pollution Prevention Program.

3.7 **CRITERION SEVEN: RESPONDENT'S SAFETY MANAGEMENT PROGRAM FOR THIS PROJECT**

3.7.1 Describe your job site safety program for this Project and specific safety policies with which employees must be in compliance.

3.7.2 For all projects that you have managed (or co-managed) in the past five (5) years identify any deaths that have occurred on a project site controlled by your firm, or any subcontractor(s) (at any contractual level), that had a death on your project site? If so, describe how you have revised your program.

3.7.3 Identify the proposed safety management team members for construction services. Identify their intended percent of monthly involvement and duration for this Project. Include all details necessary to demonstrate the credentials required by Owner's Project Safety specification.

3.7.4 Describe the methodology, including any technology or other assets that you intend to use for prevention and or control of incidents and insurance claims on this Project.

3.7.5 Identify (in separate figures) the percentage of your proposed cost that is to be included for each of the following pieces of the Project Safety Program:

- on-site safety education & training,
- personal protective equipment, signage, and hardware,
- first aid and emergency response equipment,
- safety incentives and recognition,
- contingency for post incident drug testing and incident management costs
- Miscellaneous other safety-related expenses (NOTE: DO NOT LIST items that will appear elsewhere in the general conditions; office equipment, salaries, etc.)

3.7.6 Briefly describe your firm's approach for anticipating, recognizing and controlling safety risks and note the safety resources that you will provide for each Project's safety program.

3.7.7 Describe the level of importance for Enforcement and Support of Project Safety that you intend to include in performance evaluations for superintendents and project managers.

3.7.8 Describe the Safety and Insurance and the Claims History information and weighting that you included, or that you will use in your solicitation and award process for selecting the "best value" subcontractors for this Project.

3.7.9 For all projects that you have managed (or co-managed) in the past five (5) years, list and describe all events or incidents that have reached any of the following levels of severity:

- Any occupational illness or injury that resulted into or total and permanent disability
- Three occupational illnesses or injuries that resulted in hospital admittances
- Explosion, fire or water damage that claimed 5% of the project's construction value
- Failure, collapse, or overturning of a scaffold, excavation, crane or motorized mobile equipment when workers were present at the project

3.8 **CRITERION EIGHT: RESPONDENT'S WARRANTY AND SERVICE SUPPORT PROGRAM FOR THIS PROJECT**

3.8.1 Describe your warranty service support philosophy and warranty service implementation plan for this Project.

3.8.2 Describe how you will measure the quality of service provided to the Owner for this Project.

3.8.3 Provide reference letters from three (3) owners identified in Sections 3.4 OR 3.5 of this RFP that describe your response to, and performance on, warranty services AFTER substantial completion.

3.9 CRITERION NINE: RESPONDENT'S PRICING AND DELIVERY PROPOSAL AND EXECUTION OF OFFER

3.9.1 Complete the "Respondent's Pricing and Delivery Proposal and Execution of Offer" inside the SciQuest Platform located in the "Buyer Attachments".

SECTION 4 – FORMAT OF PROPOSALS

4.1 GENERAL INSTRUCTIONS

4.1.1 Respondent's Proposal shall be prepared SIMPLY AND ECONOMICALLY, providing a straightforward, CONCISE description of the Respondent's ability to meet the requirements for the Project as set forth in this RFP. Emphasis shall be on the QUALITY, completeness, clarity of content, responsiveness to the requirements, and an understanding of Owner's needs.

4.1.2 Respondent's Proposal shall include the following elements:

- Respondent's Qualifications – consisting of Respondent's responses to Criterion 3.1 through Criterion 3.8 - shall be attached inside the online SciQuest Platform as instructed.
- Respondent's HUB Subcontracting Plan – Respondents must submit one (1) hard copy of the HUB Subcontracting Plan which must be sent in a SEPARATE and SEALED envelope apart from the other Proposals documents. Note: The HUB Subcontracting Plan must be submitted at the same time as the sealed Proposals. The envelope containing the HUB Subcontracting Plan must clearly be labeled "HUB Subcontracting Plan" and marked with the project name and the RFP number.
- Respondent's Pricing and Delivery Proposal and Execution of Offer – shall be attached inside the online SciQuest Platform as instructed.
- Respondent's Proposed Alternates – a separate .pdf file describing technical aspects of any alternate means, methods or materials that Respondent proposes to use in executing the Work. This document shall not include any pricing information. Any price impact that the Proposed Alternate will have shall be clearly identified in an attachment to the Respondent's Pricing and Delivery Proposal.

4.1.3 Respondent's Proposal shall be a MAXIMUM OF FIFTY (50) PAGES VIA ONE CONSOLIDATED PDF IN LETTER SIZE LAYOUT. THE COVER, TABLE OF CONTENTS, DIVIDER PAGES, DOES NOT COUNT TOWARDS THE MAXIMUM 50 PAGES. HUB SUBCONTRACTING PLAN (SECTION 1.13), RESPONDENT'S PRICING AND DELIVERY PROPOSAL AND EXECUTION OF OFFER WILL BE UPLOADED SEPARATELY INSIDE THE SCIQUEST PLATFORM AND SHOULD NOT BE INCLUDED IN THE CONSOLIDATED PDF, AND THEREFORE IT DOES NOT COUNT TOWARDS TO 50 PAGE MAXIMUM..

- **Cover**
- **Cover Letter**
- **Table of Contents**
- **CRITERION 1: RESPONDENT'S ABILITY TO PROVIDE CONSTRUCTION SERVICES**
- **CRITERION 2: RESPONDENT'S ABILITY TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES**
- **CRITERION 3: QUALIFICATIONS OF CONSTRUCTION TEAM**
- **CRITERION 4: RESPONDENT'S PAST PERFORMANCE ON PAST REPRESENTATIVE PROJECTS**

- **CRITERION 5: RESPONDENT’S PROJECT PLANNING AND SCHEDULING FOR THIS PROJECT**
- **CRITERION 6: RESPONDENT’S QUALITY CONTROL AND COMMISSIONING PROGRAM FOR THIS PROJECT**
- **CRITERION 7: RESPONDENT’S SAFETY MANAGEMENT PROGRAM FOR THIS PROJECT**
- **CRITERION 8: RESPONDENT’S WARRANTY AND SERVICE SUPPORT PROGRAM FOR THIS PROJECT**
- **CRITERION 9: RESPONDENT’S PRICING AND DELIVERY PROPOSAL AND EXECUTION OF OFFER** - Respondent’s Pricing and Delivery Proposal and Execution of Offer **must** be attached separately inside the SciQuest Platform under “Pricing, Delivery and Execution of Offer” section.
- **EXECUTION OF OFFER**
- **HUB SUBCONTRACTING PLAN** – Respondents must submit one (1) hard copy of the HUB Subcontracting Plan which must be sent in a SEPARATE and SEALED envelope apart from the other Proposals documents. Note: The HUB Subcontracting Plan must be submitted at the same time as the sealed Proposals. The envelope containing the HUB Subcontracting Plan must clearly be labeled “HUB Subcontracting Plan” and marked with the project name and the RFP number.

- 4.1.4 Respondent shall carefully read the information contained in this RFP and submit a complete response to all requirements and questions as directed. Incomplete Proposals will be considered non-responsive and will be subject to rejection.
- 4.1.5 The Proposal and any other information submitted by Respondent in response to this RFP shall become the property of the Owner.
- 4.1.6 Any Proposal that is qualified with conditional clauses, alterations, items not called for in the RFP 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 solicitation. The Owner reserves the right to accept or reject any or all Proposals, waive any formalities or minor technical inconsistencies, or delete any item or requirements from this RFP when deemed to be in Owner's best interest.
- 4.1.8 Proposals shall include answers to questions identified in Section 3 of the RFP. Respondent shall separate each section of the Proposal by use of a divider sheet with an integral tab for ready reference. Respondent shall identify the tabs in accordance with the parts under Section 3, which are to be consistent with the Table of Contents. **TAB IDENTIFICATION BY NUMBERS ONLY IS NOT ACCEPTABLE.**
- 4.1.9 Failure to comply with all requirements contained in this Request for Competitive Sealed Proposals may result in the rejection of Respondent’s Proposal.

4.2 **PAGE SIZE AND FORMAT:**

- 4.2.1 Proposals shall be uploaded as a consolidated PDF document in letter size layout.
- 4.2.2 Additional attachments shall NOT be included with the Proposal. Only the responses provided by the Respondent to the questions identified in Section 3 of this RFP will be used by the Owner for evaluating the Respondent’s qualifications to provide construction services for this Project.
- 4.2.3 Respondent shall separate and identify each criterion response to Section 3 of this RFP.

4.3 **TABLE OF CONTENTS:**

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

4.4 **PAGINATION:**

4.4.1 Respondent shall number all pages of the Proposal sequentially using Arabic numerals (1, 2, 3, etc.). The Respondent is not required to number the pages of the HUB Subcontracting Plan.

SECTION 5 – ATTACHMENTS TO THE PROPOSAL LOCATED INSIDE SCIQUEST PLATFORM

5.1 Attachment A – Form 1295 (See Section 1.21)

5.2 Attachment B – Policy on Utilization of Historically Underutilized Businesses

5.3 Attachment C – Form for Respondent’s Pricing and Delivery Proposal and Execution of Offer

5.4 Drawings and Specifications. Located at <https://tsu.box.com/s/hevw9kjftstyavx79juwqps5se6nzup>

Attachment B

HISTORICALLY UNDERUTILIZED BUSINESS (HUB) SUBCONTRACTING PLAN:

1. Historically Underutilized Businesses: In accordance with Texas Government Code Sections 2161.181-182 and Section 111.11 – 111.28 of the Texas Administrative Code (“TAC”), Owner is required to make a good faith effort to utilize Historically Underutilized Businesses (“HUBs”) in contracts for construction services with an expected value of \$100,000 or more. A copy of the HUB plan can be downloaded from the state website. Owner is committed to sponsoring mentor-protégé relationships for HUBs as outlined in Texas Government Code Section 2161.065 and TAC Title 34, Part 1, Chapter 20, Subchapter B, §20.28, and has been performing outreach to support this important effort.
2. Indicate HUB status of prime respondent and/or each subcontractor, if any.
 1. Consideration in the analysis of this RFQ will be given to respondents qualifying and whose proposal is determined by the University to be economically advantageous.
 2. Submitters who wish to be considered as a HUB and non-minority respondents who utilize certified Minority Business as subcontractors for purposes of this solicitation must provide documentation with their proposal as referenced in the HUB Subcontracting Plan.
 3. The Performing Party further agrees to obtain and provide proper and necessary HUB certification or to make a good faith effort to the total value of all purchases and contracts to certified HUBs.
 4. Indicate the percentage of HUB participation that the prime Respondent commits to achieving in any project assigned under this RFQ.
 5. List each HUB subcontractor and the estimated percentage of total.
 6. Must be provided as a requirement of State mandates.
 7. The subcontractors shown in the Subcontractor Listing of the Project Manual are not all- inclusive to this project.

The Hub Sub-Contracting Plan may be located at the following link:

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

Attachment C

EXECUTION OF OFFER

NOTE: THIS EXHIBIT MUST BE SIGNED AND RETURNED WITH THE PROPOSAL. PROPOSALS THAT DO NOT INCLUDE THIS EXHIBIT WILL BE DISQUALIFIED. THE PROPOSAL SHALL BE VOID IF FALSE STATEMENTS ARE CONTAINED IN THIS EXHIBIT.

By signature hereon, Respondent certifies that:

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

Respondent has not given, offered to give, 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 response.

Neither Respondent nor the corporation, partnership, or institution represented by Respondent or anyone acting for such respondent, corporation, or institution has (1) violated the antitrust laws of the State of Texas under Texas Business & Commerce Code, Chapter 15, or the federal antitrust laws; or (2) communicated the contents of this Proposal either directly or indirectly to any competitor or any other person engaged in the same line of business during the procurement process for this RFP.

When a Texas business address shown hereon that address is, in fact, the legal business address of Respondent and Respondent qualifies as a Texas Resident Bidder under 1 TAC § 111.2.

Under Government Code § 2155.004, no person who prepared the specifications or this RFP has any financial interest in Respondent's Proposal. If Respondent is not eligible, then any contract resulting from this RFP shall be immediately terminated. Furthermore, "under Section 2155.004, Government Code, the vendor [Respondent] certifies that the individual or business entity named in this Proposal 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."

Under Family Code § 231.006, relating to child support obligations, Respondent and any other individual or business entity named in this solicitation are eligible to receive the specified payment and acknowledge that this contract may be terminated and payment withheld if this certification is inaccurate.

Under *Government Code* § 669.003, relating to contracting with an executive of a state agency, Respondent represents that no person who, in the past four years, served as an executive of the Texas Comptroller of Public Accounts, Texas Southern University or any other state agency, was involved with or has any interest in this Proposal or any contract resulting from this RFP. If Respondent employs or has used the services of a former executive head of *Texas Southern University* or other state agency, then Respondent shall provide the following information: Name of former executive, name of state agency, date of separation from state agency, position with Respondent, and date of employment with Respondent.

Respondent agrees that any payments due under this contract will be applied towards any debt, including but not limited to delinquent taxes and child support that is owed to the State of Texas.

Texas Southern University is federally mandated to adhere to the directions provided in the President's Executive Order (EO) 13224, Executive Order on Terrorist Financing – Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism, effective 9/24/2001 and any subsequent changes made to it via cross-referencing respondents/vendors with the Federal General Services Administration's System for Award Management (SAM), <https://www.sam.gov/SAM/>, which is inclusive of the United States Treasury's Office of Foreign Assets Control (OFAC) Specially Designated National (SDN) list.

Respondent certifies that the responding entity and its principals are eligible to participate in this transaction and have not been subjected to suspension, debarment, or similar ineligibility determined by any federal, state or local governmental entity and that Respondent is in compliance with the State of Texas statutes and rules relating to procurement and that Respondent is not listed on the federal government's terrorism watch list as described in Executive Order 13224. Entities ineligible for federal procurement are listed at <https://www.sam.gov/SAM/>

Under Section 2155.006(b) of the Texas Government Code, a state agency may not accept a Proposal or award a contract, including a contract for which purchasing authority is delegated to a state agency, that includes proposed financial participation by a person who, during the five-year period preceding the date of the Proposal or award, has been: (1) convicted of violating a federal law in connection with a contract awarded by the federal government for relief, recovery, or reconstruction efforts as a result of Hurricane Rita, as defined by Section 39.459, Utilities Code, Hurricane Katrina, or any other disaster occurring after September 24, 2005; or (2) assessed a penalty in a federal civil or administrative enforcement action in connection with a contract awarded by the federal government for relief, recovery, or reconstruction efforts as a result of Hurricane Rita, as defined by Section 39.459, Utilities Code, Hurricane Katrina, or any other disaster occurring after September 24, 2005. Under Section 2155.006 of the Texas Government Code, the respondent certifies that the individual or business entity named in this Proposal is not ineligible to receive the specified contract and acknowledges that any contract resulting from this RFP may be terminated and payment withheld if this certification is inaccurate.

Pursuant to Section 2262.003 of the Texas Government Code, the state auditor may conduct an audit or investigation of the vendor or any other entity or person receiving funds from the state directly under this contract or indirectly through a subcontract under this contract. The acceptance of funds by the Respondent or any other entity or person directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. Under the direction of the legislative audit committee, the Respondent or other entity that is the subject of an audit or investigation by the state auditor must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit. Respondent will ensure that this clause concerning the authority to audit funds received indirectly by subcontractors through the vendor and the requirement to cooperate is included in any subcontract it awards.

The Respondent represents that, to the extent this Solicitation constitutes a contract for goods or services within the meaning of Section 2270.002 of the Texas Government Code, as amended, solely for purposes of compliance with Chapter 2270 of the Texas Government Code, and subject to applicable Federal law, Respondent (1) does not boycott Israel; and (2) will not boycott Israel during the term of this Agreement. The term "boycott Israel" as used in this paragraph has the meaning assigned to it in Section 808.001 of the Texas Government Code, as amended.

PREFERENCES

See Section 2.38 of the State of Texas Procurement Manual regarding preferences. Check below to claim a preference under 34 TAC Rule 20.38

- Supplies, materials, or equipment produced in TX or offered by TX bidder or TX bidder that is owned by a service-disabled veteran *
- Agricultural products produced or grown in TX
- Agricultural products and services offered by TX bidders*
- USA produced supplies, materials, or equipment
- Products of persons with mental or physical disabilities
- Products made of recycled, remanufactured, or environmentally sensitive materials including recycled steel
- Energy Efficient Products
- Rubberized asphalt paving material
- Recycled motor oil and lubricants
- Products produced at facilities located on formerly contaminated property
- Products and services from economically depressed or blighted areas
- Vendors that meet or exceed air quality standards
- Recycled or Reused Computer Equipment of Other Manufacturers
- Foods of Higher Nutritional Value

Respondent represents and warrants that the individual signing this Execution of Offer is authorized to sign this document on behalf of Respondent and to bind Respondent under any contract resulting from this Proposal.

RESPONDENT (COMPANY): _____

SIGNATURE (INK): _____

NAME (TYPED/PRINTED) _____

TITLE: _____

EMAIL ADDRESS: _____

PHYSICAL ADDRESS: _____

CITY/STATE/ZIP: _____

TELEPHONE: _____

FAX: _____

TAX IDENTIFICATION NUMBER: _____

DATE: _____