

REQUEST FOR QUALIFICATIONS FOR
CONSTRUCTION MANAGER-AT-RISK

*The Health Science Center at The University of Texas at Tyler
Medical Education Building
RFQ No.: 801-1346*

DUE DATE: July 27, 2021



Prepared By:
Rob Lamberson, Senior Project Manager, Project Control, on behalf of
The University of Texas System
Office of Capital Projects
210 West 7th Street
Austin, Texas
(512) 499-4200
rlamberson@projectcontrol.com

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REQUEST FOR QUALIFICATIONS FOR
CONSTRUCTION MANAGER-AT-RISK
The Health Science Center at The University of Texas at Tyler
Medical Education Building
RFQ No.: 801-1346

SECTION 1 – GENERAL INFORMATION & REQUIREMENTS

- 1.1 **GENERAL INFORMATION:** The University of Texas System (“Owner”) and *The Health Science Center at The University of Texas at Tyler* are soliciting statements of qualifications (“Qualifications”) for selection of a Construction Manager at Risk firm for *801-1346 Medical Education Building* (“Project”), in accordance with the terms, conditions, and requirements set forth in this Request for Qualifications.
- 1.1.1 This Request for Qualifications (“RFQ”) is the first step in a three-step process for selecting a Construction Manager at Risk firm for the Project as provided by Texas Education Code §51.782(e). The RFQ provides the information necessary to prepare and submit Qualifications for consideration and initial ranking by the Owner. Based on the initial ranking, the Owner may select up to five (5) of the top ranked Qualification Respondents to respond to a separate Request for Proposals in the second step of the process.
- 1.1.2 In the second step of the process, Request for Proposals (“RFP”), the top selected Qualifications Respondents will be required to submit additional information to the Owner, including fee proposals and general conditions prices (“Proposals”). The Owner will rank the Proposals in the order that they provide the “best value” for the Owner based on the published selection criteria and on the ranking evaluations.
- 1.1.3 In the third step of the process, Interviews, the “most” qualified Respondents will be requested to attend an interview with the Owner to confirm their Proposal and answer additional questions. The Owner will then rank the remaining “most” qualified Respondents in order to identify a “best value” Contractor.
- 1.2 **PUBLIC INFORMATION:** All information, documentation, and other materials submitted in response to this solicitation are considered non-confidential and/or non-proprietary and are subject to public disclosure under the Texas Public Information Act (*Texas Government Code*, Chapter 552.001, *et seq.*) after the solicitation is completed.
- 1.2.1 The Owner strictly complies with all statutes, court decisions, and opinions of the Texas Attorney General with respect to disclosure of RFQ information.
- 1.3 **TYPE OF CONTRACT:** Any contract resulting from this solicitation will be in the form of the Owner’s Standard Construction Management at Risk Agreement, a copy of which is attached to this RFQ.
- 1.4 **CLARIFICATIONS AND INTERPRETATIONS:** Any clarifications or interpretations of this RFQ that materially affect or change its requirements will be posted by the Owner as an addendum on the OCP web site (<https://apps.utsystem.edu/spo/DisplaySPO.aspx>). It is the responsibility of all Respondents to obtain this information in a timely manner. All such addenda issued by the Owner before the proposals are due as part of the RFQ, and Respondents shall acknowledge receipt of and incorporate each addendum in its Qualifications.

- 1.4.1 Respondents shall consider only those clarifications and interpretations that the Owner issues by addenda five (5) 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 in preparing Qualifications.

1.5 SUBMISSION OF QUALIFICATIONS:

- 1.5.1 DEADLINE AND LOCATION: The Owner will receive Qualifications at the time and location described below.

July 27th, 2021 at 2:30 PM local time

- 1.5.2 OCP only accept Qualifications and HUB Subcontracting Plans (HSP's) electronically. OCP will receive qualifications until *July 27th, 2021 at 2:30 PM* local time via One Drive Link: <https://tinyurl.com/xj8pf2ja>. Please be aware that these files may be printed by the Owner.

Please limit your file size to 15 GB per file and follow File Naming Protocol as under:

- File Name: CompanyName_RFQ_Response
- For First Name: First Name of Respondent's Contact Person
- For Last Name: Last Name of Respondent's Contact Person.

Please do not use these characters in the file name ~ " # % & * : < > ? / \ { | }.

If any file cannot be successfully uploaded on first attempt, try again. If there is a system error on second attempt, contact the Point-of-Contact identified in section 1.6

Qualifications shall be addressed to the Point-of-Contact identified in 1.6 of this RFQ. Any Qualification posted to the link above after the deadline will not be accepted. The Respondents may verify receipt of submissions by reaching out to the Point-of-Contact in 1.6 of this RFQ. During these forthcoming electronic RFQ submissions, The University of Texas System cannot be held responsible for all possible contingencies. In the event the Respondent has any issues with connectivity and/or technology, The University of Texas System reserves the right to proceed with the selection of a Construction Manager at Risk Contractor.

After the HSP's are received (refer to 1.5.3) and deemed responsive by the University of Texas System, then all properly submitted Qualifications will be considered.

- 1.5.3 Submit one (1) electronic copy to the One Drive or other media upload site Link noted in 1.5.2 and one (1) electronic pdf copy via email to utconsthsp@utsystem.edu of the HUB Subcontracting Plan (HSP) as separate attachments to the Qualifications as described in Section 5.2
- 1.5.4 Late received Qualifications will be returned to the Respondent unopened.
- 1.5.5 The Owner will not acknowledge or receive Qualifications that are delivered by telephone or facsimile (fax).
- 1.5.6 Properly submitted Qualifications will not be returned to Respondents.

- 1.5.7 Hard copy qualifications materials must be enclosed in a sealed envelope (box or container) addressed to the Point of Contact person; the package must clearly identify the submittal deadline, the RFQ number, and the name and return address of the Respondent.
- 1.5.8 Properly submitted Qualifications will be opened publicly and the names of the Respondents will be read aloud.
- 1.6 POINT-OF-CONTACT: The Owner designates the following person, as its representative and Point-of-Contact for this RFQ. Respondents shall restrict all contact with the Owner and direct all questions regarding this RFQ, including questions regarding terms and conditions, to the Point-of-Contact person.
- Rob Lamberson, Senior Project Manager, Project Control on behalf of OCP
The University of Texas System
Office of Capital Projects
791 Synergy Park Blvd.
Richardson, TX 75080
Phone: (469)850-9868
e-mail: rlamberson@projectcontrol.com
- 1.7 EVALUATION OF QUALIFICATIONS: The evaluation of the Qualifications shall be based on the requirements described in this RFQ. All properly submitted Qualifications will be reviewed, evaluated, and ranked by the Owner. The top five or fewer ranked Respondents may be selected by the Owner to participate in step two of the selection process.
- 1.7.1 Qualifications shall not include any information regarding Respondent's fees, pricing, or other compensation. Such information will be solicited from firms qualified by the Owner to participate in step two of the selection process.
- 1.8 OWNER'S RESERVATION OF RIGHTS: The Owner may evaluate the Qualifications based on the anticipated completion of all or any portion of the Project. The Owner reserves the right to divide the Project into multiple parts, to reject any and all Qualifications and re-solicit for new Qualifications, or to reject any and all proposals and temporarily or permanently abandon the Project. Owner makes no representations, written or oral, that it will enter into any form of agreement with any Respondent to this RFQ for any project and no such representation is intended or should be construed by the issuance of this RFQ.
- 1.9 ACCEPTANCE OF EVALUATION METHODOLOGY: By submitting its Qualifications in response to this RFQ, the Respondent accepts the evaluation process and acknowledges and accepts that determination of the "most qualified" firm(s) will require subjective judgments by the Owner.
- 1.10 NO REIMBURSEMENT FOR COSTS: Respondent acknowledges and accepts that any costs incurred from the Respondent's participation in this RFQ process shall be at the sole risk and responsibility of the Respondent. Respondents submit Qualifications and Proposals at their own risk and expense.
- 1.11 PRE-SUBMITTAL CONFERENCE: A pre-submittal conference will be held at the time and location described below.

July 13th, 2021 at 2:00 PM local time

MS Teams Link – “[Click Here](#)”

Note: If Teams link (above) does not connect, please copy link below and paste into browser for meeting access:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_MDNjYjM5NTItNmI5ZS00Y2VILWI2YmUtNWQwYTJjY2UzYzdi%40thead.v2/0?context=%7b%22Tid%22%3a%2222ab8b46-80a0-4530-bf8d-1bb2436dba04%22%2c%22Oid%22%3a%2237f22aa9-2746-4a2b-a0ce-a304f1a83651%22%7d

- 1.11.1 A tour of the site is not available at this time.
- 1.11.2 Attendance at the pre-submittal conference is optional.
- 1.12 **ELIGIBLE RESPONDENTS:** Only individual firms or lawfully formed business organizations may apply (This does not preclude a Respondent from using consultants.) The Owner will contract only with the individual firm or formal organization that submits a Qualification.
- 1.13 **HISTORICALLY UNDERUTILIZED BUSINESSES SUBMITTAL REQUIREMENTS:** It is the policy of The University of Texas System, and each of its component institutions, to promote and encourage contracting and subcontracting opportunities for Historically Underutilized Businesses (HUB) in all contracts. Accordingly, the Office of Capital Projects (OCP) has adopted Exhibit H, Policy on Utilization of Historically Underutilized Businesses (See attached). The Policy applies to all contracts with an expected value of \$100,000 or more. If OCP determines that subcontracting opportunities are probable, then a HUB Subcontracting Plan is a required element of the Qualifications. Failure to submit a required HUB Subcontracting Plan will result in rejection of the Qualifications.
 - 1.13.1 **STATEMENT OF PROBABILITY:** The University of Texas System, Office of Capital Projects, has determined that subcontracting opportunities are probable in connection with this procurement solicitation. Therefore, a HUB Subcontracting Plan (HSP) is required as a part of the Respondent's Qualifications. The Respondent shall develop and administer a HSP as a part of the Respondent's Qualifications in accordance with the OCP Policy on Utilization of Historically Underutilized Businesses (HUB), Exhibit H.
 - 1.13.2 Refer to Section 5, Exhibit H, Policy on Utilization, Historically Underutilized Business (attached) and the Summary of Requirements for a detailed list of attachments required with the Qualifications.
 - 1.13.3 The “Statement of Probability” determines the probability for subcontracting opportunities. This determination will clarify which attachments, detailed in Figure 1, will be required to be completed and returned.
- 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 The University of Texas System. The section further permits the purchase tax-free of tangible personal property (other than machinery or equipment and its accessories and repair and replacement parts) for use in the performance of such a contract if the property is "necessary and essential for the performance of the contract" and "completely consumed at the job site." In addition, the section permits the purchase tax-free of a tangible service for use in the performance of such a contract if the service is performed at the job site and if "the contract expressly requires the specific service to be provided or purchased by the person performing the contract" or "the service is integral to the performance of the contract."
- 1.16 CERTIFICATION OF FRANCHISE TAX STATUS: Respondents are advised that the successful Respondent will be required to submit certification of franchise tax status as required by State Law (H.B. 175, Acts 70th Leg. R.S., 1987, Ch. 283, p. 3242). The contractor agrees that each subcontractor and supplier under contract will also provide a certification of franchise tax status.
- 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 the U. T. System document, entitled "Prevailing Wage Guidelines." A copy is attached to the Special Conditions. 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.
- 1.19 DELINQUENCY IN PAYING CHILD SUPPORT: 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.

SECTION 2 – EXECUTIVE SUMMARY

2.1 HISTORICAL BACKGROUND:

The University of Texas at Tyler

On December 9th, 2020, The Southern Association of Colleges and Schools Commission on Colleges approved the operational plan to merge The University of Texas at Tyler and The University of Texas at Tyler Health Science Center. Under the approved plan, The University of Texas at Tyler Health Science Center retained its status as a health-related institution while administratively becoming an instructional site of The University of Texas at Tyler. On January 4th, 2021 Dr. Kirk Calhoun, who began his tenure as President of The University of Texas at Tyler Health Science Center in 2002, became the President of a unified University of Texas at Tyler. The merger creates a single, integrated University that will more comprehensively serve the educational, health, and economic needs of East Texas further expanding upon the rich history of both Universities briefly described below:

The University of Texas Health Science Center at Tyler has a rich history of commitment and dedication to patient care and community health. From its early beginnings in 1943 as the site of the 1,000-bed Camp Fannin Army hospital during World War II through decades of fighting against pulmonary diseases like tuberculosis, chronic obstructive pulmonary disease, and asbestosis, UT Health Science Center has served the citizens of Texas with distinction. On September 1, 1977, under the leadership of George A. Hurst, M.D., the state hospital known as the East Texas Chest Hospital officially became The University of Texas Health Center at Tyler, joining the world-renowned University of Texas System with an expanded mission that today includes patient care and community health, medical and health education, and biomedical and clinical research. Dr. Kirk Calhoun began his tenure as president in September 2002, and is credited with advancing UT Health Center into the 21st century. The education mission of UT Health East Texas took a giant leap forward with the expansion of a new medical residency training program in internal medicine in 2010 and the approval by the Texas Higher Education Coordinating Board to establish the School of Medical Biological Sciences in early 2012. A first-ever, degree-granting program, a master's in biotechnology, welcomed its first class of students in August 2012. In February 2013, UT Health Science Center received approval from the Board of Regents for use of the name UT Health Northeast to better reflect its regional service which was again revised to UT Health East Texas due to the merger with East Texas Medical Center.

The University of Texas at Tyler was created as Tyler State in 1971. The name of the upper-division, co-educational institution of higher education was changed to the Texas Eastern University in 1975. During this period, the existing campus was created. The University of Texas at Tyler became a component of the prestigious University of Texas System that includes nine (9) Universities and six (6) health institutions located throughout the state. Our beautiful 259 acre campus is nestled along a lake, surrounded by thick pine and oak forests, providing a picturesque location for study and recreation. We also maintain regional campuses in Palestine and Longview, TX. As a component of the renowned U.T. System, U.T. Tyler continues to build a tradition of higher education that merits international recognition. Established in 1971 as an upper-division university, U.T. Tyler's mission was changed by the Texas Legislature in 1997 to include lower-division classes. The University was authorized to admit freshman and sophomore students, effective the summer semester of 1998. Bachelor's, Master's, and Doctoral degree programs are offered through the schools of business, education and psychology, engineering, liberal arts, nursing, sciences and mathematics. Recognized as a broad-spectrum Liberal Arts University, U.T. Tyler addresses the educational needs of students from community and junior colleges and transfer students from other universities. It is the only public degree-granting

university located in the East Texas Planning Region, an area of approximately 750,000 people that includes the greater Tyler/Longview metropolitan area.

2.2 MISSION STATEMENT:

The University of Texas at Tyler is committed to serve Northeast Texas and beyond through excellent patient care and community health, comprehensive education, and innovative research. In partnership with communities across the region, the university is working to improve the health of individuals and communities.

2.3 PROJECT DESCRIPTION, SCOPE AND BUDGET:

The Medical Education Building (MEB) will provide an initial 250,000 +/- GSF of facilities for medical education which will include interdisciplinary education for graduate medical students, resident training, and nursing, to aid in a medical education program expansion throughout the UT Health East Texas Health System. The project is anticipated to provide workforce development in one of the most underserved regions of Texas. This new state-of-the-art facility combined with the diverse patient population will provide an excellent opportunity to see a wide range of pathology within a practice environment. Programmatic functions are expected to include flexible classrooms, conference and meeting rooms, auditoriums, faculty and student services offices, study rooms and study spaces, and public pharmacy. Teaching laboratory space will consist of simulation, computer, surgical, cadaver, supportive and active training. In addition, the MEB will provide outpatient and specialty clinical services with exam rooms, specimen collection / processing and imaging facilities. MEB supporting spaces include but are not limited to food services, dining, locker rooms and gowning, breakrooms, lobbies, reception areas, vestibules, storage, loading dock, custodial services, restrooms, passenger / service elevators, mechanical, electrical, telecom / server rooms. Supporting components include medical equipment, gas cabinets, cylinder storage, gas distribution systems, audio visual systems, security system, building automation, fire alarm and fire protection systems.

Exterior improvements will include landscaping, irrigation, outdoor gathering spaces, bicycle storage, lighting, sky bridges, bus stops, parking, roads, drives, fire lanes, sidewalks, cross walks, traffic signals, easements, and work in the right of way. Infrastructure improvements are anticipated to include telecom and electrical duct banks, manholes, utility vaults, natural gas distribution, potable water supply, sanitary sewer, fire lines and hydrants, storm water management and chilled water supply/return. The project will also include a site utilization analysis to demonstrate future expansions and phasing as well as utility and pedestrian connectivity. The project is required to achieve at least a USGBC LEED Silver rating. The Construction Manager at Risk selected for this project is expected work with numerous stakeholders on a recurring basis, including the Architect / Engineering team, local utility providers and other Authorities Having Jurisdiction.

The Preliminary Project Cost (PPC) for this project is \$150,000,000. The PPC includes an overall Construction Manager's Budget Limitation of \$105,100,000 which includes a Construction Cost Limitation (CCL) for the Architect/Engineer of \$100,000,000. The project is anticipated to include multiple stages / phases or parts, each with its own GMP. Anticipated Issue for Construction "Make Ready" packages may include site preparation, infrastructure improvements and below grade / at grade structural systems. All remaining Issue for Construction Documents Packages will be referenced as and "Project Completion."

Fees, furnishings, equipment, other work, miscellaneous expenses, and contingencies make up the balance of the TPC.

2.4 Not Used

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

- | | |
|-----------------------------------------------------------------------------|-----------------------|
| ▪ Owner receives Request For Qualifications | Refer to Section 1.5 |
| ▪ Owner conducts Pre-Submittal Conference | Refer to Section 1.11 |
| ▪ Owner issues Request For Proposals (to short-listed firms) | 08/11/2021 |
| ▪ Owner receives Request For Proposals | 08/24/2021 |
| ▪ Owner interviews Respondents (if applicable) | 09/09/2021 |
| ▪ Owner executes Agreement | 10/9/2021 |
| ▪ Owner approves Facility Program (if applicable) | 10/11/2021 |
| ▪ Owner approves Start of Schematic Design Documents | 10/12/2021 |
| ▪ Owner approves Start of Design Development Documents | 03/02/2022 |
| ▪ Design Development Documents + Make Ready Construction Documents | |
| ○ Owner receives 50% DD (Project Completion) | 06/06/2022 |
| ○ Owner receives 100% DD (Make Ready) | 06/06/2022 |
| ○ Owner receives 50% CD (Make Ready) | 08/25/2022 |
| ○ Owner receives 100% DD (Project Completion) | 08/25/2022 |
| ○ Owner approves DD | 11/16/2022 |
| ▪ Owner receives CMAR Guaranteed Maximum Price Proposals | 10/28/2022 |
| ▪ Owner receives 100% Issue for Construction Documents (Make Ready) | 11/30/2022 |
| ▪ Owner issues CMAR Notice to Proceed for Construction | 11/30/2022 |
| ▪ Owner approves Issue for Construction Documents (Make Ready) | 12/14/2022 |
| ▪ Owner receives 100% Issue for Construction Documents (Project Completion) | 04/11/2022 |
| ▪ Owner approves Issue for Construction Documents (Project Completion) | 05/09/2023 |
| ▪ Owner accepts Substantial Completion of Construction | 10/04/2024 |
| ▪ Construction Manager achieves Final Completion of Construction | 11/04/2024 |

2.6 OWNER'S SPECIAL CONDITIONS: The Owner requires full compliance with specification Division 0: Contract Requirements and Division 1: General Requirements. These specifications shall be a part of the Agreement (attached).

SECTION 3 – REQUIREMENTS FOR STATEMENT OF QUALIFICATIONS

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

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

- 3.1.1 Provide a statement of interest for the Project including a narrative describing the Respondent’s unique qualifications as they pertain to this particular Project.
- 3.1.2 Provide a statement on the availability and commitment of the Respondent, its principal(s) and assigned professionals to undertake the Project.
- 3.1.3 Provide the Respondent’s day to day contact information for this procurement opportunity. Include full name, business title, email address, and telephone number.

3.2 **CRITERIA 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 bond for the entire construction cost of the project. The surety shall acknowledge that the firm may be bonded for each stage/phase of the project, with a potential maximum construction cost of \$105,100,000. Bonding requirements are set forth in Article 17 of the Agreement and Article V of the Uniform General and Supplementary Conditions.
- 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 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.

3.3 CRITERIA THREE: QUALIFICATIONS OF CONSTRUCTION MANAGER AT RISK TEAM

- 3.3.1 Describe your management philosophy for the Construction Manager at Risk construction delivery method.
- 3.3.2 Provide resumes of the Construction Manager at Risk team for Pre-Construction and Construction Phase Services that will be directly involved in this Project. Resumes shall detail each individual's qualifications, duties, experience with similar projects, their city of residence, the number of years of employment with the company and if a consultant / 3rd party, the name of the consulting company. Resumes shall at a minimum include Project Executives, Corporate Safety Officer / Director, Project Management Staff, Project Superintendents, Commissioning Coordinators, Project Safety Coordinators, Project Safety Assistants, Project Schedulers, Cost Estimators, Quality Control Managers
- 3.3.3 Describe, in graphic and written form, your company's organizational structure and the proposed Project assignments and lines of authority and communication for each team member to be directly involved in the Project. Separately indicate the estimated percent of time these team members will be involved in the Project for Pre-Construction and Construction Phase Services.
- 3.3.4 Identify the proposed team members (including consultants) who worked on the Projects listed in Section 3.4 or 3.5 of this RFQ and describe their responsibility in those projects compared to this project.

3.4 CRITERIA FOUR: RESPONDENT'S PAST PERFORMANCE ON REPRESENTATIVE CM-R PROJECTS

- 3.4.1 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. List the projects in order of priority, with the most relevant project listed first. Provide the following information for each project listed:
- Project name, location, contract delivery method, and description
 - Color images (photographic or machine reproductions)
 - Initial and final construction cost, including change orders.
 - Final project size in gross square feet
 - Type of construction (new, renovation, or expansion)
 - Actual Notice To Proceed for Pre-Construction Services
 - 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 name and representative who served as the day-to-day liaison during the design and construction phases of the project, including current telephone number and email address.
- Architect/Engineer's name and representative who served as the day-to-day liaison during the construction phase of the project, including current telephone number and email address.
- Length of business relationship with the Owner.

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

3.5 CRITERIA FIVE: RESPONDENT'S PAST PERFORMANCE ON U.T. SYSTEM PROJECTS

- 3.5.1 Identify and describe the proposed Team's past experience for providing Construction Management at Risk Services on University of Texas System projects within the last ten (10) years.

If the Respondent has not previously provided Construction Manager at Risk services for The University of Texas System, then identify and describe the Respondent's past performance on Construction Manager at Risk projects for "major" institutions of higher education (or similar) within the last ten (10) years.

In either case above, provide the following information for each project listed:

- Project name, location, contract delivery method, and description
- Color images (photographic or machine reproductions)
- Initial and final construction cost, including change orders.
- Final project size in gross square feet
- Type of construction (new, renovation, or expansion)
- Actual Notice To Proceed for Pre-Construction Services
- 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

3.6 CRITERIA SIX: RESPONDENT'S ABILITY TO MANAGE CONSTRUCTION SAFETY RISKS

- 3.6.1 State your company's approach for anticipating, recognizing, and controlling safety risks and indicate how it aligns with the Owner's Project Safety Requirements 01 35 23.
- 3.6.2 Detail all safety resources (including Corporate) that your company typically provides for a project specific safety program.

- 3.6.3 Detail the reasons why the safety personnel submitted in response to Section 3.3. of this RFQ were selected for this project.
- 3.6.4 Describe the safety and insurance / claims history information and weighting that your company will use in evaluating and awarding “best value” subcontracts.
- 3.6.5 Provide details regarding any fatality or injury/incident that occurred during the last ten (10) years that required an emergency response (medical/rescue) on any project controlled by your company or its subsidiaries. Explain any “lessons learned” and subsequent revisions to your safety program that resulted from these emergency responses.

3.7 CRITERIA SEVEN: RESPONDENT’S ABILITY TO ESTABLISH BUDGETS AND CONTROL COSTS ON PAST PROJECTS

- 3.7.1 Describe your fiduciary responsibility as a Construction Manager at Risk using Guaranteed Maximum Price contracts for publicly funded projects.
- 3.7.2 From any of three (3) projects listed in response to Section 3.4 or 3.5 of this RFQ, describe how the estimates were developed, how often they were updated and the degree of accuracy achieved. Identify any amount of savings returned to the Owner and the point in the project that this occurred.
- 3.7.3 Describe your methodology for working with the Owner and the Project Architect / Engineer and their consultants to develop and deliver a complete and accurate Guaranteed Maximum Price Proposal and to maintain the Guaranteed Maximum Price Proposal throughout the design and construction process.
- 3.7.4 Describe your team’s experience working with the Owner and the Project Architect/Engineer and their consultants using Life Cycle Cost Analysis to optimize major building system selections to maximize project value from a Total Cost of Ownership perspective.
- 3.7.5 Describe how your team has used true Value Engineering (A discipline of engineering that studies the relative monetary values of various materials and construction techniques, including the initial cost, maintenance cost, energy usage cost, replacement cost, and life expectancy), and similar constructability advice on past projects, and how you feel your team’s experience in this area will contribute to the success of this project. Cite examples from similar past projects.
- 3.7.6 Provide a sample, as an appendix item to the submission, of a cost estimate used to establish a contract amount from any project listed in Section 3.4 or 3.5 of this RFQ.

3.8 CRITERIA EIGHT: RESPONDENT’S ABILITY TO MEET SCHEDULES ON PAST PROJECTS

- 3.8.1 Describe how you develop, analyze and maintain Critical Path Method (CPM) schedules during design and construction to coordinate with the Owner’s project schedule.
- 3.8.2 Describe your approach to assuring on time final completion of projects, 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 RFQ, provide examples of how these techniques were used, including specific scheduling challenges/requirements and actual solutions.

- 3.8.3 Describe how you work with the Owner and Project Architect / Engineer and their consultants to identify schedule constraints and what creative solutions you have employed to lessen or eliminate such constraints. Identify any projects listed in response to Section 3.4 and 3.5 of the RFQ where this occurred.
- 3.8.4 Describe your experience working with the Project Architect / Engineer and their consultants to develop staged or phased work packages to meet the needs of the Owner's project schedule. Identify any projects listed in response to Section 3.4 and 3.5 of the RFQ where this occurred.
- 3.8.5 Describe your experience with supplementing labor forces for trades that are negatively impacting the project schedule and who bore the cost for the supplemental labor required for schedule recovery. Identify any projects listed in response to Section 3.4 and 3.5 of the RFQ where this occurred.
- 3.8.6 Describe your experience with replacing underperforming subcontractors and what you did to mitigate schedule impacts created by their replacement. Identify any projects listed in response to Section 3.4 and 3.5 of the RFQ where this occurred.
- 3.8.7 Describe your experience with Primavera CPM scheduling. From any of three (3) of the projects listed in response to Section 3.4 or 3.5 of this RFQ, provide a sample, as an appendix to the submission, of the monthly schedule reports, including identified milestones and schedule recovery plans.

3.9 CRITERIA NINE: RESPONDENT'S KNOWLEDGE OF CURRENT CONSTRUCTION METHODOLOGIES, TECHNOLOGIES, AND BEST PRACTICES

- 3.9.1 Provide examples of your Preconstruction Services that creatively incorporated innovative solutions, construction practices and sourcing in similar projects.
- 3.9.2 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 in response to Section 3.4 or 3.5 of this RFQ.
- 3.9.3 Describe your procedures for implementing industry's "best practices" as defined by the Construction Industry Institute and similar organizations for:
 - Front End Planning
 - Establishing and tracking project objectives
 - Using project scope definition resources (i.e. Project Definitions Rating Index (PDRI)) in order to obtain complete and accurate design and construction documents from the A/E
 - Partnering & Team Building
 - Dispute Prevention and Resolution
 - Cost tracking
 - Change (order) management systems
 - Lessons Learned
 - Materials Management

- Preparing for and coordinating inspections
 - Punch list development, tracking, completion, and secure signoff by various parties
 - Total quality management for each phase, including close-out and commissioning.
 - Zero Accidents Techniques
- 3.9.4 Describe your Constructability Program: 1) Outlining its key benefits and features, 2) Identifying its comprehensiveness, 3) Its implementation approach throughout the Project, and 4) The value that you place on the Program as the Construction Manager at Risk.
- 3.9.5 Describe your methodology for advertising, evaluating and selecting trade contractors for “major” institutions of higher education as a Construction Manager at Risk.
- 3.9.6 As the Construction Manager at Risk describe your process for attracting qualified and experienced subcontractors, including local subcontractors, to submit proposals for this Project.
- 3.9.7 As the Construction Manager at Risk, describe your relationship with the local HUB subcontracting community and your process for attracting qualified and experienced HUB sub-contractors to submit proposals for this project.
- 3.9.8 Describe your experience using BIM working with subcontractors in the construction of relevant projects. Explain the methods employed using BIM to ensure each trade was fully coordinated with other trades prior to installation. Provide specific examples of how these techniques or procedures were used from any three (3) projects listed in response to Section 3.4 or 3.5 of this RFQ.
- 3.9.9 Describe your experience dealing with congested site conditions for any project listed in Section 3.4 or 3.5 of this RFQ.
- 3.9.10 Describe your approach to Total Building Commissioning, specifically addressing Fire Alarm & Security Systems to ensure completion of all pre-functional, functional, systems integration and training activities prior to the contractual substantial completion date. From any three (3) projects listed in response to Section 3.4 or 3.5 of this RFQ, provide examples of how these techniques were successfully implemented to the satisfaction of the Owner.
- 3.9.11 Provide examples of Preconstruction services provided that creatively incorporated mechanical, electrical, and plumbing solutions in similar structures.
- 3.10 CRITERIA TEN: RESPONDENT’S ABILITY TO IDENTIFY AND RESOLVE PROBLEMS ON PAST PROJECTS
- 3.10.1 Describe your understanding of the administrative challenges and opportunities associated with providing Preconstruction and Construction services for The University of Texas System on this project, or similar Owner on other projects and your strategy for resolving these issues.
- 3.10.2 Understanding the schedule limitations, provide an analysis of the Owner’s project planning schedule in Section 2.5 of this RFQ and describe your plan for communicating constructability, phasing, value engineering and other budget options in a form that will quickly facilitate the Owner’s decision making.

3.10.3 For any combination of three (3) projects listed in response to Section 3.4 or 3.5 of this RFQ, describe any conflicts with the Owner, Consultants, Architect/Engineer, or subcontractors and describe the methods used by the Respondent to resolve those conflicts.

3.11 CRITERIA ELEVEN: EXECUTION OF OFFER

NOTE TO RESPONDENTS: **SUBMIT ENTIRE SECTION WITH RESPONSE.**

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

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

- 3.11.1 By signature hereon, Respondent acknowledges and agrees that (1) this RFQ is a solicitation for Qualifications and is not a contract or an offer to contract; (2) the submission of Qualifications by Respondent in response to this RFQ will not create a contract between the Owner and Respondent; (3) the Owner has made no representation or warranty, written or oral, that one or more contracts with the Owner will be awarded under this RFQ; and (4) Respondent shall bear, as its sole risk and responsibility, any cost which arises from Respondent's preparation of a response to this RFQ.
- 3.11.2 By signature hereon, Respondent offers and agrees to furnish to the Owner the products and/or services more particularly described in its Qualifications, and to comply with all terms, conditions and requirements set forth in the RFQ documents and contained herein.
- 3.11.3 By signature hereon, Respondent affirms that he has not given, nor intends to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor or service to a public servant in connection with the submitted Qualifications.
- 3.11.4 By signature hereon, a corporate Respondent certifies that it is not currently delinquent in the payment of any Franchise Taxes due under Chapter 171, Texas Tax Code, or that the corporate Respondent is exempt from the payment of such taxes, or that the corporate Respondent is an out-of-state corporation that is not subject to the Texas Franchise Tax, whichever is applicable.
- 3.11.5 By signature hereon, the Respondent hereby certifies that neither the Respondent nor the firm, corporation, partnership or Owner represented by the Respondent, 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 Qualifications made to any competitor or any other person engaged in such line of business.
- 3.11.6 By signature hereon, Respondent represents and warrants that:
 - 3.11.6.1 Respondent is a reputable company regularly engaged in providing products and/or services necessary to meet the terms, conditions and requirements of the RFQ;

- 3.11.6.2 Respondent has the necessary experience, knowledge, abilities, skills, and resources to satisfactorily perform the terms, conditions and requirements of the RFQ;
 - 3.11.6.3 Respondent is aware of, is fully informed about, and is in full compliance with all applicable federal, state and local laws, rules, regulations and ordinances;
 - 3.11.6.4 Respondent understands (i) the requirements and specifications set forth in this RFQ and (ii) the terms and conditions set forth in the Contract under which Respondent will be required to operate;
 - 3.11.6.5 Respondent, if selected by the Owner, will maintain insurance as required by the Contract;
 - 3.11.6.6 All statements, information and representations prepared and submitted in response to this RFQ are current, complete, true and accurate. Respondent acknowledges that the Owner will rely on such statements, information and representations in selecting the successful Respondent. If selected by the Owner as the successful Respondent, Respondent will notify the Owner immediately of any material change in any matters with regard to which Respondent has made a statement or representation or provided information.
- 3.11.7 By signature hereon, Respondent certifies that the individual signing this document and the documents made part of the RFQ is authorized to sign such documents on behalf of the company and to bind the company under any agreements or other contractual arrangements, which may result from the submission of Respondent's Qualifications.
- 3.11.8 By signature hereon, Respondent certifies that if a Texas address is shown as the address of the Respondent, Respondent qualifies as a Texas Resident Respondent as defined in Rule 1 TAC 111.2.
- 3.11.9 By signature hereon, Respondent certifies as follows:
- 3.11.9.1 "Under Section 231.006, Texas Family Code, the vendor or applicant certifies that the individual or business entity named in this contract, bid, or application is not ineligible to receive the specified grant, loan, or payment and acknowledges that this contract may be terminated and payment may be withheld if this certification is inaccurate."
 - 3.11.9.2 "Under Section 2155.004, *Texas Government Code*, the vendor or applicant certifies that the individual or business entity named in this bid or contract is not ineligible to receive the specified contract and acknowledges that this contract may be terminated and payment withheld if this certification is inaccurate."
 - 3.11.9.3 "Under Section 2254.004, *Texas Government Code*, the vendor or applicant certifies that each individual or business entity which is an engineer or architect proposed by Respondent as a member of its team was selected based on demonstrated competence and qualifications only."
- 3.11.10 By signature hereon, Respondent certifies that no relationship, whether by relative, business associate, capital funding agreement or by any other such kinship exist between Respondent and an employee of any University of Texas component, or Respondent has not been an employee of any University of Texas component within the immediate twelve (12) months

prior to your RFQ response. All such disclosures will be subject to administrative review and approval prior to the Owner entering into any contract with Respondent.

- 3.11.11 By signature hereon, Respondent affirms that no compensation has been received for participation in the preparation of the specifications for this RFQ. (ref. Section 2155.004 Texas Government Code).
- 3.11.12 Respondent represents and warrants that all articles and services quoted in response to this RFQ meet or exceed the safety standards established and promulgated under the Federal Occupational Safety and Health Law (Public Law 91-596) and its regulations in effect or proposed as of the date of this solicitation.
- 3.11.13 By signature hereon, Respondent signifies his compliance with all federal laws and regulations pertaining to Equal Employment Opportunities and Affirmative Action.
- 3.11.14 By signature hereon, Respondent agrees to defend, indemnify, and hold harmless the State of Texas, all of its officers, agents and employees from and against all claims, actions, suits, demands, proceedings, costs, damages, and liabilities, arising out of, connected with, or resulting from any acts or omissions of Respondent or any agent, employee, subcontractor, or supplier of Respondent in the execution or performance of any agreements or other contractual arrangements which may result from the submission of Respondent's Qualifications.
- 3.11.15 By signature hereon, Respondent agrees that any payments that may become due under any agreements or other contractual arrangements, which may result from the submission of Respondent's Qualifications, will be applied towards any debt including, but not limited to, delinquent taxes and child support that is owed to the State of Texas.
- 3.11.16 By signature hereon, Respondent certifies that no member of the Board of Regents of The University of Texas System, or the Executive Officers of the University of Texas System or its component institutions, has a financial interest, directly or indirectly, in the transaction that is the subject of the contract.

3.11.17 Execution of Offer: RFQ No. **801-1346**

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

Respondent's Name: _____

Respondent's State of Texas Tax Account No.: _____
(This 11-digit number is mandatory)

If a Corporation:

Respondent's State of Incorporation: _____

Respondent's Charter No: _____

Identify each person who owns at least 25% of the Respondent's business entity by name:

(Name)

(Name)

(Name)

(Name)

Submitted and Certified By:

(Respondent's Name)

(Title)

(Street Address)

(Telephone Number)

(City, State, Zip Code)

(Fax Number)

(Authorized Signature)

(Date)

SECTION 4 – FORMAT FOR STATEMENT OF QUALIFICATIONS

4.1 GENERAL INSTRUCTIONS

- 4.1.1 Qualifications shall be prepared SIMPLY AND ECONOMICALLY, providing a straightforward, CONCISE description of the Respondent's ability to meet the requirements of this RFQ. Emphasis shall be on the QUALITY, completeness, clarity of content, responsiveness to the requirements, and an understanding of Owner's needs.
- 4.1.2 Electronically submitted qualifications shall be a searchable .pdf and a MAXIMUM OF FIFTY (50) PRINTABLE PAGES. Minimum eleven (11) point font size shall be used. The cover, table of contents, HUB Subcontracting Plan (Section 1.13), and Execution of Offer do not count as printed pages. Additionally, the appendix items listed in 3.7.6 and 3.8.7 do not count as printed pages.
- 4.1.3 Respondents shall carefully read the information contained in this RFQ and submit a complete response to all requirements and questions as directed. Incomplete Qualifications will be considered non-responsive and subject to rejection.
- 4.1.4 Qualifications and any other information submitted by Respondents in response to this RFQ shall become the property of the Owner.
- 4.1.5 Qualifications that are qualified with conditional clauses, alterations, items not called for in the RFQ documents, or irregularities of any kind are subject to rejection by the Owner, at its option.
- 4.1.6 The Owner makes no representations of any kind that an award will be made as a result of this RFQ, or subsequent RFP. The Owner reserves the right to accept or reject any or all Qualifications, waive any formalities or minor technical inconsistencies, or delete any item/requirements from this RFQ when deemed to be in Owner's best interest.
- 4.1.7 Qualifications shall consist of answers to questions identified in Section 3 of the RFQ. It is not necessary to repeat the question in the Qualifications; however, it is essential to reference the question number with the corresponding answer.
- 4.1.8 Failure to comply with all requirements contained in this Request for Qualifications may result in the rejection of the Qualifications.

4.2 PAGE SIZE, BINDING, DIVIDERS, AND TABS:

- 4.2.1 Electronically submitted qualifications shall be capable of being printed by the Owner on letter-size (8-1/2" x 11") paper, portrait orientation.
- 4.2.2 Additional attachments, beyond those required in 3.7.6 and 3.8.7, shall NOT be included with the Qualifications. Only the responses provided by the Respondent to the questions identified in Section 3 of this RFQ will be used by the Owner for evaluation.
- 4.2.3 Separate and identify each criteria response to Section 3 of this RFQ by use of bookmarks in the .pdf file.

4.3. TABLE OF CONTENTS:

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

4.4 PAGINATION:

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

SECTION 5 - ATTACHMENTS TO THE RFQ

- 5.1 Agreement Between the Board of Regents, The University of Texas System, Owner, and Construction Management at Risk
 - 5.1.1 Exhibit A - Uniform General Conditions for University of Texas System Building Construction Contracts
 - 5.1.2 Exhibit B - OCP Standard Front End Specifications
 - 5.1.3 Exhibit C - Allowable General Conditions Line Items
 - 5.1.4 Exhibit D - Guaranteed Maximum Price Proposal Form
 - 5.1.5 Exhibit E - Security Bond
 - 5.1.6 Exhibit F - Construction Manager's Personnel and Monthly Salary Rate
 - 5.1.7 Exhibit G - Constructability Implementation Program
 - 5.1.8 Exhibit H - Policy on Utilization, Historically Underutilized Businesses
 - 5.1.9 Exhibit I - HUB Subcontracting Plan for Pre-Construction Phase Services
 - 5.1.10 Exhibit J - Additional Services Proposal
 - 5.1.11 Exhibit K- BIM Process Amendments
 - 5.1.12 Exhibit L- Owner's Guidelines for GMP Preparation
 - 5.1.13 Exhibit M- Mock-up Design and Construction
 - 5.1.14 Exhibit N- Form 1295