AUSTIN Independent School District | Contract and Procurement Services

Request for Competitive Sealed Proposals
20CSP085
Replacements at Lee Elementary School

Date	Event
December 10, 2019 **December 17, 2019**	Advertise/Issue Dates
December 17, 2019	Pre-Proposal Conference at **10AM** 3308 Hampton Road, Austin Texas 78705, Library
January 6, 2020	Questions and Answers Due by **5:00 PM**
January 9, 2020	Questions and Answers posted on our website
January 15, 2020	**CSP opening / due date at 2:00 pm CST**
February 24, 2020	AISD Board Meeting for review/approval

Deliver Sealed Proposals to:	**Contact Person:**
Austin ISD **Contract and Procurement** **4000 S IH35 Frontage Road, 4th Floor** **Austin, Texas 78704** **PLEASE PLAN TIME TO PARK**	Jennifer Nix Contract and Procurement jennifer.nix@austinisd.org **HUB Coordinator Contact** Gerald Green gerald.green@austinisd.org

- Questions must be submitted via e-mail to the contact person listed above.
  In the e-mail subject line, type: *Questions 20CSP085 Replacements at Lee Elementary School*

- Q & A and Addenda will be posted on our website: www.austinisd.org/cp/bids

- Proposals are due no later than 2:00 pm on the date indicated. Your proposals must be delivered by mail or hand delivery in a sealed envelope or carton. Proposals received after the specified time shall not be considered.
- **Please submit the following:**
  - One (1) hard copy marked "original" – include signed "required" forms
  - One (1) digital copy on a flash drive – include signed "required" forms
- FAX, e-mail or other electronic proposals **will not be accepted.**

- Proposals must be plainly marked with **name and address of the Offeror and the CSP number and Title above**.

This solicitation is a request for competitive sealed proposals for construction under Texas Government Code 2260.

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SUBMISSION CHECKLIST AND GUIDELINES

Check when Completed	Task to be Completed by Respondent
	Request For Competitive Sealed Proposal Form (information typed in and **signed**)
	Table A – All Projects in Progress
	Table B – All School (K-12 and higher education) projects completed in the past 8 years, beginning with projects for AISD
	Table C – All Non-School projects completed in the past 8 years
	Table D – Personnel
	Proposal Guaranty
	Required HUB Documentation
	Print, sign and date AISD Addendum Cover Sheets
	Hard Copy Submission AISD requires one (1) marked "original"
	Electronic Copy: AISD requires submission of one (1) electronic PDF copy via USB

Order for Submission	Document
1	Cover Sheet
2	Table of Contents
3	Proposal Form
4	Table A – All Projects in Progress
5	Table B – All School (K-12 and higher education) projects completed in the past 8 years, beginning with projects for AISD
6	Table C – All Non-School projects completed in the past 8 years
7	Table D – Personnel
8	Proposal/Bid Bond (can be found at the Austin ISD website under "CSP Front End Documents"- https://www.austinisd.org/cp/forms)
9	Required HUB Documentation
10	Printed and signed AISD Addendum Cover Sheets

AISD Project No. 20-0017-LEE

PROJECT MANUAL TABLE OF CONTENTS

1. **Project Title: LEE ELEMENTARY SCHOOL IMPROVEMENTS**
2. **Description of work: The project scope includes structural repairs in the crawl space as needed, HVAC improvements to the gym and kitchen units, sealing building envelop, and plumbing and interior upgrades to boys and girls restrooms on level 1 and 2.**
3. **Architect/Engineer:**

   SMITH & COMPANY ARCHITECTS

   2025 GUADALUPE STREET, SUITE 260, AUSTIN, TX 78705

   PHONE: 512-676-3566

4. **Consultants:**

   LAM - DCI ENGINEERS (STRUCTURAL ENGINEER)

   515 SOUTH CONGRESS AVE, SUITE 600, AUSTIN, TX 78704

   P: (512) 472-9797

   AGNEW & ASSOCIATES (MEP ENGINEERING)

   14205 BURNET RD, SUITE 200, AUSTIN, TX 78728

   P: (512) 828-0753

5. **Drawings:** The drawings are as follows and are dated [DECEMBER 05, 2019] unless a different date is shown below.

   a. **Drawing List:**

      A0.00 COVER SHEET

      A0.11 ADA/ARCHITECTURAL BARRIER REMOVAL

      A0.12 ADA/ARCHITECTURAL BARRIER REMOVAL

      D2.01 DEMO FLOOR PLAN - LEVEL 1 & 2

      A2.01 FLOOR PLAN - LEVEL 1

      A2.02 FLOOR PLAN - LEVEL 2

      S0.01 STRUCTURAL - GENERAL NOTES

S0.02 STRUCTURAL - SPECIAL INSPECTIONS, LEGEND, AND ABBREVIATIONS

S1.01 STRUCTURAL - MECHANICAL UNIT PLATFORM FRAMING PLAN AND DETAILS

M0.01 MECHANICAL SCHEDULES & DETAILS

M0.02 POINTS & SEQUENCES

M1.00 FLOOR PLAN - MECHANICAL DEMO

M1.01 FLOOR PLAN - MECHANICAL DEMO

M2.01 FLOOR PLAN - MECHANICAL

E0.01 ELECTRICAL RISER DIAGRAM

E1.00 OVERALL FLOOR PLAN - ELECTRICAL

E1.01 FLOOR PLAN - ELECTRICAL DEMO

E2.01 FLOOR PLAN - ELECTRICAL

P0.01 FLOOR PLAN - PLUMBING

P1.00 FLOOR PLAN - PLUMBING

P1.01 FLOOR PLAN - PLUMBING DEMOLITION

P2.01 FLOOR PLAN - PLUMBING

b. The addenda, if any, are as follows: TBD

6. **Specifications:** The specifications are as follows:

	COVER
	TOC
011000	SUMMARY
012100	ALLOWANCES
012500	SUBSTITUTION PROCEDURES
012600	CONTRACT MODIFICATION PROCEDURES
012900	PAYMENT PROCEDURES
013100	PROJECT MANAGEMENT AND COORDINATION
013200	CONSTRUCTION PROGRESS DOCUMENTATION
013233	PHOTOGRAPHIC DOCUMENTATION
013300	SUBMITTAL PROCEDURES
013546	INDOOR AIR QUALITY MANAGEMENT

014000	QUALITY REQUIREMENTS
014200	REFERENCES
015000	TEMPORARY FACILITIES AND CONTROLS
016000	PRODUCT REQUIREMENTS
016500	GENERAL COMMISSIONING REQUIREMENTS
017300	EXECUTION
017419	CONSTRUCTION WASTE MANAGEMENT AND DISPOSALS
017700	CLOSEOUT PROCEDURES
017823	OPERATION AND MAINTENANCE DATA
017839	PROJECT RECORD DOCUMENTS
017900	DEMONSTRATION & TRAINING
018113	SUSTAINABLE CONSTRUCTION REQUIREMENTS
024119	SELECTIVE STRUCTURE DEMOLITION
061053	MISCELLANEOUS ROUGH CARPENTRY
079200	JOINT SEALANTS
083113	ACCESS DOORS AND FRAMES
092216	NON-STRUCTURAL METAL FRAME
092900	GYPSUM BOARD
093013	CERAMIC TILING
096513	RESILIENT BASE AND ACCESSORIES
099123	INTERIOR PAINTING
102113.17	PHENOLIC- CORE TOILET COMPARTMENT
102800	TOILET, BATH, AND LAUNDRY ACCESSORIES
220100	COMMISSIONING OF PLUMBING SYSTEMS (AISD)
220500	COMMON WORK RESULTS FOR PLUMBING
220523	GENERAL-DUTY VALVES FOR PLUMBING PIPING
220529	HANGERS & SUPPORTS FOR PLUMBING PIPING & EQUIPMENT
220553	IDENTIFICATION FOR PLUMBING PIPING AND EQUIPMENT
220700	PLUMBING INSULATION
221116	DOMESTIC WATER PIPING

221119	DOMESTIC WATER PIPING SPECIALITIES
221123	DOMESTIC WATER PUMPS
221316	SANITARY WASTE AND VENT PIPING
221319	DRAINAGE PIPING SPECIALTIES
222300	ELECTRIC DOMESTIC WATER HEATERS
224000	PLUMBING FIXTURES
230100	COMMISSIONING OF MECHANICAL SYSTEMS (AISD)
230500	COMMON WORK RESULTS FOR HVAC
230513	COMMON MOTOR REQUIREMENTS FOR HVAC EQUIPMENT
230529	HANGERS AND SUPPORTS FOR HVAC PIPING AND EQUIPMENT
230553	IDENTIFICATION FOR HVAC PIPING & EQUIPMENT
230593	TESTING, ADJUSTING, AND BALANCING FOR HVAC
230713	DUCT INSULATION
230719	HVAC PIPING INSULATION
230926A	DIGITAL CONTROL FOR LOCAL BUILDING AUTOMATION SYSTEMS-TRIDIUM-BACNET WEB-BASED (AISD)
230926C	COMMISSIONING FOR BUILDING AUTOMATION SYSTEMS-TRIDIUM-BACNET (AISD)
232113	HYDRONIC PIPING
233113	METAL DUCTS
233300	AIR DUCT ACCESSORIES
233423	HVAC POWER VENTILATORS
233713	DIFFUSERS, REGISTERS, AND GRILLES
238119	SELF-CONTAINED AIR-CONDITIONERS
260100	COMMISSIONING FOR ELECTRICAL SYSTEMS (AISD)
260500	COMMON WORK RESULTS FOR ELECTRICAL
260501	MINOR ELECTRICAL DEMOLITION FOR REMODELING
250519	LOW-VOLTAGE ELECTRICAL POWER CONDUCTORS AND CABLES
260526	GROUNDING AND BONDING FOR ELECTRICAL SYSTEMS

260529	HANGERS AND SUPPORTS FOR ELECTRICAL SYSTEMS
260533	RACEWAY AND BOXES FOR ELECTRICAL SYSTEMS
260553	IDENTIFICATION FOR ELECTRICAL SYSTEMS
262420	CIRCUIT DISCONNECT AND OVERCURRENT PROTECTION DEVICES
262726	WIRING DEVICES
233101	FIRE-ALARM SYSTEMS FOR RENOVATIONS & ADDITIONS (AISD)

REQUEST FOR COMPETITIVE SEALED PROPOSALS
INSTRUCTIONS TO OFFERORS
(Chapter 2269, Subchapter D of the Texas Government Code)

Austin Independent School District ("AISD") requests proposals for a Contractor to perform the construction of the Work described below in connection with AISD's Renovations at Project (the "Project"). AISD is interested in receiving proposals from General Contractors with experience in successfully completing projects that are similar in scope, size and complexity to the Work and meeting any specialized requirements set forth below.

1. PROJECT

1.1. Scope of Work. The selected Offeror must furnish all labor, materials and equipment required for the construction of the following improvements (the "Work"):

The project scope includes structural repairs in the crawl space as needed, HVAC improvements to the gym and kitchen units, sealing building envelop, and plumbing and interior upgrades to boys and girls restrooms on level 1 and 2.

To be constructed at the following location ("Project Site"):

3308 Hampton Road, Austin, TX 78703

1.2. Estimated Project Budget: $ 531,536.00

1.3. Minimum Qualifications. Because of the nature of the Work, the selected Offeror must meet the following qualifications and/or must have any licenses or certifications specified below (collectively, the "Minimum Qualifications"):

See specifications for required licenses and/or certifications.

1.4. **Texas Education Code §22.0834 (Criminal History Record Information Review of Certain Contract Employees).** For purposes of the Project, those workers who will be performing Work on the Project Site will be "covered employees" as defined in Section 3.15 of the General Conditions. Thus, Texas Education Code §22.0834 is applicable to such covered employees, and the selected Offeror must comply with the provisions of Section 3.15 of the General Conditions with regard to such covered employees. The General Conditions can be found at the Austin ISD website under "CSP Front End Documents"-(https://www.austinisd.org/cp/forms)

2. DRAWINGS, SPECIFICATIONS, CONTRACT DOCUMENTS AND ADDENDA

2.1. The "Contract Documents" for this Request For Competitive Sealed Proposals include, without limitation, AISD's Agreement for Construction Contract ("Agreement for Construction"), AISD's General Conditions of the Contract for Construction ("General Conditions"), and AISD's Notice of Prevailing Wage Rates ("Notice of Prevailing Wage Rates"), collectively referred to in this Request For Competitive Sealed Proposals as the "Contract."

2.2. Copies of Drawings, Specifications, Contract Documents, and Addenda (if any) and other documents related to this Request For Competitive Sealed Proposals, are available at Miller Blueprint at the location indicated in Section 3.3 below for a deposit of $100 per set. If

deposit is paid by check, check must be made payable to Austin Independent School District. The deposit will be refunded upon return of all documents in good condition to Miller Blueprint at the location indicated in Section 3.3 below within 14 calendar days after the opening of Proposals. Drawings, Specifications, Contract Documents, and Addenda (if any) can also be downloaded Miller IDS Planroom at www.planroom.millerids.com.

2.3. Printed copies of Drawings, Specifications, Contract Documents, and Addenda (if any) can be requested and picked up at the following location in accordance with Section 2.2 above:

Miller IDS Planroom
1000 East 7th Street
Austin, Texas 78702
Phone: (512) 381-5292
Email: planroom@millerids.com

3. FORMAT FOR PROPOSALS

3.1. Each proposal ("Proposal") submitted by an offeror ("Offeror") must contain the documents listed on the submission checklist on page 2

3.2. Additional forms required within 24 hours of Bid Proposal Deadline to **proconteam@austinisd.org** :

- The completed HUB documents pertaining to this project:

3.3. The Proposal information must be typed on the Proposal Form.

3.4. The Offeror information in Section D of the Proposal Form must be typed on Section D of the Proposal Form or on letter-size ("8½ x 11") paper if additional sheets are used. If preprinted materials, flyers or other information about the Offeror is used, it should be referenced in the submittal and included as labeled attachments.

3.5. The Proposal Form and other forms included in the Proposal should be stapled or bound together in a binder, so that that the pages can be easily opened and laid flat for copying.

4. METHOD OF SELECTING CONTRACTOR

4.1. The bidder/proposer MUST submit required HUB documents. If the bidder/proposer does not meet or exceed all goals, then Good Faith Effort documentation is REQUIRED. A firm MUST be compliant with Austin ISD HUB Program regulations to be considered for contract selection.

4.2. Not later than the 45th day after the date on which Proposals are opened, AISD will evaluate and rank each Proposal submitted in relation to the Selection Criteria set out below. AISD will select the Offeror that, in the opinion of AISD, submits the Proposal that offers the best value for AISD based on the Selection Criteria and the weighted value for each Selection Criteria and on AISD's ranking evaluation. The Offeror that offers the best value may or may not be the Offeror that submits the lowest proposal for the cost of construction.

4.3. The AISD Construction Management Department will make a recommendation to the Board of Trustees as to the selection ranking of the Offerors. The Board of Trustees will select the

Offeror that submits the Proposal that offers the best value for AISD and will authorize the negotiation and execution of the contract. If AISD is unable to negotiate a satisfactory contract with the selected Offeror, AISD shall, formally and in writing, end negotiations with that Offeror and proceed to the next Offeror in the order of the selection ranking until a contract is reached or all proposals are rejected. AISD reserves the right to reject any and all proposals. **Consistent with state law and district policy, this RFP does not commit the district to award a contract. The district reserves the right to accept or reject any or all proposals and/or award in whole or in part any proposal if the district determines it is in the best interest of the district to do so.**

5. SELECTION CRITERIA

5.1. Offerors will be evaluated based on the following selection criteria and weighted value for each criterion (collectively, "Selection Criteria"):

Selection Criteria	Weighted Value
Construction Cost as Proposed	**45%**
Relevant Experience and Past Performance	**30%**
Proposed Personnel/Resources	**10%**
Financial Condition	**8%**
Safety Record	**7%**

6. QUESTIONS REGARDING THIS REQUEST FOR COMPETITIVE SEALED PROPOSALS

6.1. Only those responses to inquiries which are made by formal written Addenda shall be binding. Oral and other interpretations or clarifications will be without legal effect, and shall not be binding on AISD. The Offeror must acknowledge receipt of all Addenda in its Proposal. However, each Offeror will be bound by the terms of all Addenda, and its Proposal will be construed to include the information contained in the Addenda, whether or not Offeror has received them or acknowledged receipt.

7. PROPOSAL GUARANTY

7.1. Each Proposal must be accompanied by a Proposal Guaranty in the amount of five percent (5%) of the largest possible total Proposal (i.e. the sum of the Base Proposal and all additive Alternates).

7.2. The Proposal Guaranty shall be in the form of a Proposal/Bid Bond found on the Austin ISD website under "CSP Front End Documents"- (https://www.austinisd.org/cp/forms) and shall be issued by a corporate surety authorized to do business in the State of Texas that is listed on the U.S. Treasury list of approved sureties.

7.3. The Proposal Guaranty will be held until the selected Offeror has signed the Contract and provided the required insurance and payment and performance bonds and Safety Program Manual and Safety Plan as provided in these instructions.

7.4. Should the selected Offeror fail or refuse to sign the Contract and/or provide the required insurance and payment and performance bonds and Safety Program Manual and Safety Plan

as provided in these instructions, then the Offeror's Proposal Guaranty will be forfeited to AISD as liquidated damages and not as a penalty.

8. SUBSTITUTION OF MATERIALS

8.1. Offerors may request a substitution of materials or equipment specified in the Contract Documents. However, any such request must be submitted in writing to the Contact Person five days before the Proposal Deadline. If AISD approves the substitution, it will respond by Addendum. A failure to respond will constitute a denial of the request. Sufficient information should accompany the request to enable AISD to promptly render a decision on a proposed substitution of materials or equipment.

9. BOND AND INSURANCE REQUIREMENTS

9.1. Insurance meeting the requirements set out in the General Conditions must be furnished by the selected Offeror within 5 days after the Contract is signed by the Offeror.

9.2. If the Contract amount is over $25,000, the selected Offeror must provide payment bond, and if the Contract amount is over $100,000, the selected Offeror must provide a performance bond each in the amount of 100% of the Contract Price within 5 days after the Contract is signed by the Offeror. Bonds must be provided by a Treasury-listed corporate Surety authorized to do business in the State of Texas.

9.3. The Offeror's attention is directed to Subsection 10.4 of the General Conditions which expressly sets out the Worker's Compensation Insurance requirements for the Project. The Contractor and each subcontractor must maintain Worker's Compensation Insurance coverage as required in Subsection 10.4 and the Contractor is required to provide a certificate of coverage for each subcontractor prior to that subcontractor beginning Work on the Project Site, showing that coverage is being provided for all of its employees for the duration of the Work. Subsection 10.4 is incorporated herein for all purposes.

10. SAFETY PROGRAM MANUAL AND PROJECT SAFETY PLAN REQUIREMENTS

10.1. The selected Offeror must submit its Safety Program Manual in accordance with the requirements set out in the General Conditions not later than 5 days after the Offeror signs the Contract.

10.2. The selected Offeror must submit a Safety Plan for the Project meeting the requirements set out in the General Conditions not later than 5 days after the Offeror signs the Contract.

11. PREVAILING WAGE RATES

11.1. The Contractor and each Subcontractor who performs work under the Contract must pay, at a minimum, the applicable prevailing wage rates to a worker employed by it in the performance of the Work. The prevailing wage rates applicable to the Project, which shall be in effect for the duration of the Contract, are set forth in the Notice of Prevailing Wage Rates.

12. EXAMINATION OF SITE AND CONTRACT DOCUMENTS

12.1. Each Offeror is required to visit the Project Site and to fully acquaint itself with the conditions and limitations as they exist at the Project Site, including the effect that weather conditions may have on the Project Site. Each Offeror shall also fully acquaint itself with the existing and anticipated sources and supplies of labor and materials, and shall also thoroughly

examine the Contract Documents. Failure of the Offeror to visit the Project Site and acquaint itself with the conditions of the Work and the Contract Documents shall in no way relieve the Offeror from any obligations with respect to its Proposal.

13. PUBLIC INFORMATION

13.1. AISD considers all information, documentation and other materials requested to be submitted in response to this solicitation to be of a non-confidential and/or non-proprietary nature and therefore shall be subject to public disclosure under the Texas Public Information Act (Tex. Gov't Code, Chapter 552.001, *et seq*.) after a contract is awarded.

13.2. Offerors are hereby notified that AISD strictly adheres to all statutes, court decisions, and opinions of the Texas Attorney General with respect to disclosure of public information.

14. DEADLINE FOR SIGNING CONTRACT AND AISD'S RIGHTS IF DELAY

14.1. The timely completion of this Project is essential. AISD has the right to consider negotiations with the selected Offeror for the Contract incomplete until and unless the Contract is signed and the bonds, insurance, Safety Program Manual and Safety Plan are submitted in accordance with the following deadlines. In order to avoid unnecessary delays in the Project, **the selected Offeror must:**

1. Sign the Contract no later than 10 days after the selected Offeror has been notified that it is the successful Offeror, and
2. Provide its Safety Program Manual and the Safety Plan for the Project and provide all required bonds within 5 days after the selected Offeror signs the Contract.
3. Provide Certificate of Insurance before Work commences on the Project.

14.2. If the selected Offeror fails to meet one or more of these deadlines, then in addition to any and all other rights and remedies to which AISD is entitled, AISD shall have the right to:

1. Terminate its negotiations with the selected Offeror and begin negotiations with the next ranked Offeror; or
2. Proceed with the Contract with selected Offeror, but treat each day beyond the 10-day deadline in which the Contract is unsigned by the Offeror, and/or each day beyond the 5 day deadline in which one or more of the required documents has not been submitted, as a day of unexcused delay under the Contract.

15. WAIVER OF CLAIMS

15.1. **EACH OFFEROR BY SUBMISSION OF A PROPOSAL TO THIS REQUEST FOR COMPETITIVE SEALED PROPOSALS WAIVES ANY CLAIMS IT HAS OR MAY HAVE AGAINST THE ARCHITECT, ITS CONSULTING ENGINEERS, OR ANY OTHER CONSULTANTS, AND THEIR RESPECTIVE EMPLOYEES, OFFICERS, MEMBERS, DIRECTORS AND PARTNERS, AND AISD, ITS EMPLOYEES, OFFICERS, AGENTS, REPRESENTATIVES, AND THE MEMBERS OF AUSTIN INDEPENDENT SCHOOL DISTRICT'S GOVERNING BODY, CONNECTED WITH OR ARISING OUT OF THIS REQUEST FOR COMPETITIVE SEALED**

PROPOSALS, INCLUDING, THE ADMINISTRATION OF THE REQUEST FOR COMPETITIVE SEALED PROPOSALS, THE PROPOSAL EVALUATIONS, AND THE SELECTION OF THE OFFEROR. SUBMISSION OF A PROPOSAL INDICATES OFFEROR'S ACCEPTANCE OF THE EVALUATION TECHNIQUE AND OFFEROR'S RECOGNITION THAT SOME SUBJECTIVE JUDGMENTS MUST BE MADE BY AISD DURING THE SELECTION PROCESS. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, EACH OFFEROR ACKNOWLEDGES THAT AISD SHALL DOCUMENT THE BASIS OF ITS SELECTION AND SHALL MAKE THE EVALUATIONS PUBLIC NOT LATER THAN THE 7TH DAY AFTER THE DATE THE CONTRACT IS AWARDED, AND EACH OFFEROR WAIVES ANY CLAIM IT HAS OR MAY HAVE AGAINST THE ABOVE-NAMED PERSONS, DUE TO INFORMATION CONTAINED IN SUCH EVALUATIONS.

16. CONFLICT OF INTEREST QUESTIONNAIRE

16.1. Offeror is advised to determine if it is required under Chapter 176 of the Texas Local Government Code to file a completed conflict of interest questionnaire with AISD. If Offeror is required by law to complete the questionnaire, the Conflict of Interest Questionnaire (Form CIQ) should be completed and submitted online at: **https://www.austinisd.org/cp/ciq-online**

17. DISCLOSURE OF INTERESTED PARTIES

17.1. In 2015, the Texas Legislature adopted House Bill 1295, which added section 2252.908 of the Texas Government Code. The law states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The disclosure requirement applies to a contract entered into on or after January 1, 2016.

17.2. After the AISD Board of Trustees selects the Offeror, the successful Offeror will be required to complete an electronic Form 1295 ("Form 1295") on the Texas Ethics Commission website (**https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm**) and submit the completed and executed Form 1295, including the certification of filing, to AISD prior to entering into a contract with AISD in accordance with this statute. Additional information is available on the Texas Ethics Commission website at **www.ethics.state.tx.us**. Submission of a response to this Request For Competitive Sealed Proposals indicates Offeror's acceptance and intended compliance with these requirements.

18. FEEDBACK TO SUBCONTRACTORS/SUPPLIERS

18.1. If requested by a subcontractor or material supplier who submitted a bid or proposal to Offeror in connection with this procurement but who is not listed as a proposed subcontractor or supplier on Offeror's completed Disclosure Statement, Offeror shall provide feedback to such subcontractor or supplier as to how its bid/proposal compared with the other bids/proposals received by Offeror for the same services or materials (e.g., bid was highest bid received, bid fell in the middle of bids received, etc.).

19. SOLICITATION OF "COMPONENT" BIDS AND PROPOSALS FROM SUBCONTRACTORS

19.1. In order to promote and encourage the involvement of small, local firms and firms owned or operated by minorities or women, Offeror must solicit and consider bids/proposals from

subcontractors covering only certain components of the scope of the Work for which particular bids/proposals are solicited, in addition to soliciting and considering bids/proposals from subcontractors for complete scopes of the Work.

20. RESTRICTED CONTACT PERIOD

20.1. The restricted contact period shall begin upon the date of issuance of a solicitation and shall end upon execution of the awarded contract by all parties.

In an effort to demonstrate its commitment to ethical procurement and contracting standards, and to improve accountability and public confidence, all District purchases of goods and services through competitive methods as provided in CH(LEGAL) and CV(LEGAL) shall be subject to a restricted contact period. Except as provided in this policy communication between a vendor and vendor's representative, and a Board member, the Superintendent, assistant superintendent, chief, officer, executive director, principal, department head, director, manager, project manager, or any other District representative who has influence on or is participating in the evaluation or selection process is prohibited.

Please review the full board policies available here.

21. RETENTION OF PROPOSAL DOCUMENTATION

21.1. All proposal materials and supporting documentation that are submitted in response to this proposal becomes the permanent property of AISD.

PROPOSAL FORM

To: The Board of Trustees
Austin Independent School District
1111 West Sixth Street
Austin, Texas 78703

Re: AISD CSP No.: 20CSP085

From: _____
(Full legal name of firm, including DBA, if applicable)

Project Number: 20-0017-LEE

Project Title: LEE ELEMENTARY SCHOOL IMPROVEMENTS

The undersigned offeror ("Offeror") submits this Proposal for the performance of the Work of construction, alteration or repair (the "Work") described as follows:

The project scope includes structural repairs in the crawl space as needed, HVAC improvements to the gym and kitchen units, sealing building envelop, and plumbing and interior upgrades to boys and girls restrooms on level 1 and 2.

The undersigned Offeror has carefully examined and considered the Project Site and relevant conditions and circumstances for the Work, information and requirements set out in the Request For Competitive Sealed Proposals, the Drawings and Specifications, and the requirements of the proposed Contract Documents, including the Agreement for Construction, the General Conditions and the Notice of Prevailing Wage Rates, in making this Proposal. Capitalized terms used but not otherwise defined in this Proposal Form shall have the same meanings as designated in the Request For Competitive Sealed Proposals.

A.1 Pricing Schedule (Express in words and numbers.)

Base Proposal: _____

_____

($_____)

*If applicable, indicate the amount of HAZMAT Abatement included in the Base Proposal.

_____

_____

($_____)

A.2 Substantial Completion Date

All of the Work must be substantially completed no later than August 7, 2020

Liquidated Damages

AISD shall have the right under the Contract to assess liquidated damages for each and every calendar day beyond the Substantial Completion Date set out in the Contract that the Work fails to be substantially complete in the following amount per day: **$** 500.00

B. Enclosed Documents

The following are enclosed with this completed Proposal:

B.1 Proposal Guaranty

A Proposal Guaranty in the amount of 5% of the maximum total proposed Contract Amount (i.e. the sum of the Base Proposal and all additive Alternates) in the form of either a cashier's check payable to Austin Independent School District or a Proposal Bond on the required Proposal/Bid Bond Form.

B.2 Other Documents Due

The following are enclosed with this Proposal and **due NO MORE than 24 hours after** the Proposal regarding the Work:

The required HUB documents requested for the project

C. Offeror Representations and Certifications

C.1 By signing and submitting this Proposal, the undersigned Offeror and person signing on its behalf certifies and represents to the Austin Independent School District as follows:

C.1.1 Offeror has not offered, conferred or agreed to confer any pecuniary benefit, as defined by Tex. Penal Code, Chapter 36, or any other thing of value, as consideration for the receipt of information or any special treatment or advantage relating to this Proposal;

C.1.2 Offeror has not offered, conferred or agreed to confer any pecuniary benefit or other thing of value as consideration for the recipient's decision, opinion, recommendation, vote or other exercise of discretion concerning this Proposal;

C.1.3 Offeror has not violated any state, federal or local law, regulation or ordinance relating to bribery, improper influence, collusion or the like, and Offeror will not in the future offer, confer, or agree to confer any pecuniary benefit or other thing of value to any officer, Trustee, agent or employee of the Austin Independent School District in return for the person's having exercised official discretion, power or duty with respect to this Proposal;

C.1.4 Offeror has not now and will not in the future offer, confer or agree to confer a pecuniary benefit or other thing of value to any officer, Trustee, agent or employee of the Austin Independent School District in connection with information regarding this Proposal, the submission of this Proposal, the award of this Proposal, or the performance, delivery or sale pursuant to this Proposal;

C.1.5 Offeror has neither coerced nor attempted to influence the exercise of discretion by any officer, Trustee, agent or employee of the Austin Independent School District concerning this Proposal on the basis of any consideration not authorized by law; and

C.1.6 Offeror has not received any information not available to other offerors so as to give the undersigned a preferential advantage with respect to this Proposal.

C.2 All information contained in this Proposal, including the information provided in Section D below is, to the best of the undersigned's knowledge and belief, true, complete and accurate.

C.3 OFFEROR WAIVES ANY CLAIM IT HAS OR MAY HAVE AGAINST THE ARCHITECT, ITS CONSULTING ENGINEERS, OR ANY OTHER CONSULTANTS, AND THEIR RESPECTIVE EMPLOYEES, OFFICERS, MEMBERS, DIRECTORS AND PARTNERS, AND AISD, ITS EMPLOYEES, OFFICERS, AGENTS, REPRESENTATIVES, AND THE MEMBERS OF AISD'S GOVERNING BODY, CONNECTED WITH OR ARISING OUT OF THIS REQUEST FOR COMPETITIVE SEALED PROPOSALS, INCLUDING, THE ADMINISTRATION OF THE REQUEST FOR COMPETITIVE SEALED PROPOSALS, THE PROPOSAL EVALUATIONS, AND THE SELECTION OF THE OFFEROR. SUBMISSION OF A PROPOSAL INDICATES OFFEROR'S ACCEPTANCE OF THE EVALUATION TECHNIQUE AND OFFEROR'S RECOGNITION THAT SOME SUBJECTIVE JUDGMENTS MUST BE MADE BY AISD DURING THE SELECTION PROCESS. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, OFFEROR ACKNOWLEDGES THAT AISD SHALL DOCUMENT THE BASIS OF ITS SELECTION AND SHALL MAKE THE EVALUATIONS PUBLIC NOT LATER THAN THE 7TH DAY AFTER THE DATE THE CONTRACT IS AWARDED, AND OFFEROR WAIVES ANY CLAIM IT HAS OR MAY HAVE AGAINST THE ABOVE-NAMED PERSONS, DUE TO INFORMATION CONTAINED IN SUCH EVALUATIONS.

C.4 Offeror has received the following Addenda to the Request For Competitive Sealed Proposals, but agrees and understands that it will be responsible for performing the Work in accordance with all terms and conditions in all Addenda issued in connection with the Request For Competitive Sealed Proposals, and that its Proposal will be construed to include all requirements of all such Addenda, whether or not identified here:

Addenda No.(s) and dates:

_____

_____

Offeror must print, date and sign all addenda cover sheets and attached them to their bid package.

C.5 Offeror (or its subcontractors/suppliers, as applicable) meets all of the Minimum Qualifications specified in Section 1.3 of the Request For Competitive Sealed Proposals.

C.6 The subcontractors/suppliers listed on the completed Disclosure Statement meet all of the qualifications for the Project set forth in AISD's Project Manual/Specifications.

C.7 If requested by a subcontractor or material supplier who submitted a bid/proposal to Offeror in connection with the Work but who is not listed as a proposed subcontractor or supplier on Offeror's completed Disclosure Statement, Offeror will provide feedback to such subcontractor or supplier as to how its bid/proposal compared with the other bids/proposals received by Offeror for the same services or materials in connection with the Work (e.g., bid was highest bid received, bid fell in the middle of bids received, etc.).

C.8 To promote and encourage the involvement of small, local firms and firms owned or operated by minorities or women, Offeror will solicit and consider bids/proposals from subcontractors covering only certain components of the scope of the Work for which particular bids/proposals are solicited, in addition to soliciting and considering bids/proposals from subcontractors for complete scopes of the Work.

D. Offeror Information

All of the following information must be provided by Offeror. Use additional sheets if necessary. If additional sheets are used, clearly indicate the question number to which you are responding. Responses must be typed or printed neatly. Illegible responses will not be considered. The Offeror is also sometimes hereinafter referred to below as the "organization" or the "company."

D.1 General Information

D.1.1 Name of Offeror:_____

D.1.2 Name of Project:_____
_____

D.1.3 Address of office from which Offeror will conduct the Work:
_____

D.1.4 Offeror's Contact Person for this Work:
Name: _____
Address: _____ Phone:_____

D.1.5 Offeror's Home Office Address:
_____

D.1.6 Does any relationship exist between the Offeror, its officers, principals, or employees and any of AISD's officers, or Trustees? ☐ YES ☐ NO
If yes, please explain. _____

D.1.7 Principal Business:
☐ General Construction ☐ Mechanical/Electrical/Plumbing
☐ Roofing ☐ Interior Finish-out
☐ Other (Please specify)_____

D.1.8 Licensing/Certifications for Prime Contractors:
List trade categories in which your organization is legally qualified to do business in Austin, Texas, and indicate registration or license numbers, as applicable.

If a Technology, Fire Alarm, Security or Roofing specialty contractor, please provide a list of each manufacturer with which your organization is authorized/certified to supply, service and install their products. Submit letters and certificates from the manufacturers, on manufacturers' letterheads, regarding the authorization to supply, service and install their products and, in addition, provide copies of certifications for the various personnel involved in the Project.

D.1.9 Minimum Qualifications:
To the extent not otherwise described in Section 1.8 above, describe your organization's compliance with all Minimum Qualifications set forth in Section

1.3 of the Request For Competitive Sealed Proposals and include all necessary attachments evidencing same.

D.1.10 Work to be Performed on this Project by Offeror's Own Forces:
List the general categories of work that your organization intends to perform on this Project using its own forces.

D.2 Organization

D.2.1 How many years has your organization been in business as a contractor? _____

D.2.2 How many years has your organization been in business under its present business name? _____

D.2.3 Under what other or former names has your organization operated?
Name:_____ Years: _____
Name:_____ Years: _____

D.2.4 If your organization is a corporation, answer the following:
Date of incorporation: _____
State of incorporation: _____
President's name: _____

D.2.5 If your organization is a limited liability company, answer the following:
Date of organization: _____
State of organization: _____
President's, Manager's or Managing Member's name: _____

D.2.6 If your organization is a partnership, answer the following:
Date of organization: _____
Type of Partnership: _____
Name(s) of general partner(s): _____

D.2.7 If your organization is individually owned, answer the following:
Date of organization: _____
Name of owner: _____

D.2.8 For all business entities other than publicly held corporations, provide the following:

Award to Nonresident Bidders

Is your business organized under the laws of the State of Texas?
☐ YES ☐ NO
What is the location of your principal place of business?
_____
Proposals from nonresident contractors shall be evaluated according to Tex. Gov. Code § 2252.002.

D.2.9 Is your company currently for sale or involved in any transaction to expand or to become acquired by another business entity? If yes, please explain the impact both in organizational and directional terms.

_____

D.3 Relevant Experience

D.3.1 **On the attached Table A,** list all projects your company has in progress and provide all additional information requested.

D.3.2 **On the attached Table B,** list all school projects that your company has completed in the past eight (8) years, beginning with AISD schools, and provide all additional information requested. As used herein, "school" means K-12 and higher education.

D.3.3 **On the attached Table C,** list all non-school projects your company has completed in the past eight (8) years and provide all additional information requested.

D.3.4 Describe the way in which your company develops and maintains project schedules. How often do you update schedules? **Limit your response to one page.**

D.4 Past Performance

D.4.1 Claims and Suits. (If the answer to any of the questions below is yes, please attach details not to exceed one page for each of the following questions.)

Has your organization ever failed to complete any work awarded to it? (If yes, attach details.)
☐ YES ☐ NO

D.4.2 Are there any judgments, claims, arbitration proceedings or suits (past, pending or outstanding) against your organization or its officers arising out of or in connection with your company's performance under a contract for construction management and/or construction services? (If yes, attach details, including a description of how such suits or claims were resolved, if applicable.)
☐ YES ☐ NO

D.4.3 Has your organization filed any law suits or requested arbitration with regard to construction contracts within the last five years? (If yes, attach details.)
☐ YES ☐ NO

D.4.4 Has your organization been assessed liquidated damages on a project in the last eight (8) years? (If yes, attach details.)
☐ YES ☐ NO

D.4.5 Within the last five years, has any officer or principal of your organization ever been an officer or principal of **another** organization when it failed to complete a construction contract? (If yes, attach details.)
☐ YES ☐ NO

D.4.6 Trade References. Provide the following information for three trade references:

Company name: _____
Contact person:_____
Address :_____ Telephone: _____

Company name: _____
Contact person:_____
Address :_____ Telephone: _____

Company name: _____
Contact person:_____
Address :_____ Telephone: _____

D.5 Personnel

D.5.1 **On the attached Table D,** list the names of the key individuals [Project Manager, Construction Superintendent, Assistant Superintendent (if applicable), and Field Engineer(s)] of your organization which are proposed to be assigned to this Project and provide the additional information requested on Table D. For each key individual listed on Table D, provide a resume (not to exceed 2 pages) which includes the key individual's construction experience and a description of his/her qualifications and experience relative to the Project.

D.6 Financial

Bank References - Provide the following information for three Bank references:

Company name: _____
Contact person:_____
Address :_____ Telephone: _____

Company name: _____
Contact person:_____
Address :_____ Telephone: _____

Company name: _____
Contact person:_____
Address :_____ Telephone: _____

D.6.1 Surety:

D.6.1.1 Name of your organization's bonding company:

_____

D.6.1.2 Name, address and phone number of agent:

Company name: _____
Contact person:_____
Address :_____ Telephone: _____

D.6.2 Financial Statement. All statements submitted will be used exclusively by AISD in the evaluation of the award of the contract on the underlying project. Statements will be kept confidential to the extent permitted by law.

D.6.2.1 Attach an audited or reviewed financial statement, including an independent auditor's report, balance sheet, income statement, and the related notes to the financial statement. Financial statements that are more than one-year old are not acceptable.

D.6.2.2 Name and address of firm preparing attached financial statement, and date thereof:

Company name: _____
Contact person:_____
Address :_____ Telephone: _____

D.6.3 If financial statements for an affiliate of the organization are also attached, will such organization act as guarantor of the contract for construction?

☐ YES ☐ NO

State whether your company is currently in default on any loan agreement or financing agreement with any bank, financial institution, or other entity? (If yes, specify date(s), details, circumstances, and prospects for resolution.)

D.6.4 State whether your company is currently contemplating or has pending a petition in bankruptcy for debt relief, or whether a creditor has threatened to file an involuntary petition against Offeror.

D.7 Safety Record

D.7.1 Please provide the following information in connection with your organization's safety record:

7.1.1 Your organization's OSHA (Occupational Safety and Health Administration) 300 Logs for the last three completed Calendar (3) years.

- OSHA log must be completed signed and dated. If no accidents, record "0" in appropriate column totals.

7.1.2 Loss run from your organization's insurance carrier or insurance agent covering your organization's workers' compensation insurance coverage. (Loss run is also referred to as "statement of claims" or SOC.) A loss analysis/loss summary may be submitted as long as it contains individual claims descriptions.

- Loss run must be provided by your organization's insurance carrier or insurance agent. Insurance carrier's company name or insurance agent (agency) must be clearly legible on documents provided.
- Names of claimants on loss run may be redacted/blackout.
- If there have been no losses, provide copy from your firm's insurance carrier stating no losses.
- Loss run/Loss Analysis/Loss Summary must be from the most recently completed policy year.
- This report must be produced and printed 60 calendar days or less before the bid due date.

7.1.3 Loss ratio from your organization's insurance carrier or insurance agent covering your organization's workers' compensation insurance coverage.

- Loss ratio must be provided by your organization's insurance carrier or insurance agent. Insurance carrier's company name or insurance agent (agency) must be clearly legible on documents provided.
- Time period corresponding to loss ratio must be provided for the most recent completed policy year.
- Typed or handwritten information concerning loss ratio prepared by your firm WILL NOT be accepted.
- Experience rating documents WILL NOT be accepted for this Paragraph 7.1.3.11
- If your Loss Run/Loss Analysis/Loss Summary for the most completed policy period indicates no losses, then a separate document showing 0 % loss ratio will not be required.

- This report must be produced and printed 60 calendar days or less before the bid due date.

7.1.4 Your organization's current experience modifier from your organization's workers' compensation insurance premiums provided by your organization's insurance carrier, insurance agent or rating agency.

- Experience modifier must be provided by your organization's insurance carrier, insurance agent or rating agency. Insurance carrier's company name or insurance agent (agency) must be clearly legible on documents provided.
- Experience modifier must clearly indicate time period/year covered.
- Hand-written experience modifiers WILL NOT be accepted.
- Experience rating documents indicating a calculated experience modifier will be accepted provided there is a final calculated experience modifier with applicable year indicated.
- This report must be produced and printed 60 calendar days or less before the bid due date.

Executed as of this _____ day of _____, 20_____.

Offeror: _____
(Full legal name of firm, including DBA, if applicable)

Address: _____

_____

City, State, Zip Code:_____

By: _____

Name:_____

Title:_____

Date:_____

Telephone: _____

Email:_____

Table A - All Projects in Progress

	Project Name	**Owner**	**Owner's Contact Person and Phone Number**	**Architect**	**Architect's Contact Person and Phone Number**	**Contract Amount**	**Percent Complete**	**Scheduled Completion Date**
1								
2								
3								
4								
5								
6								

Total Value of All Projects in Progress: $_____

Table B - All School (K-12 and higher education) projects completed in the past 8 years, beginning with projects for AISD

	Project Name	Owner	Owner's Contact Person and Phone Number	Architect	Architect's Contact Person and Phone Number	Original Contract Amount	Total Change Order Amount	Final Contract Amount	Date of Completion	% of work completed with Own Forces	Liquidated Damages (Yes or No)
1											
2											
3											
4											
5											
6											

Total Value of All School Projects Completed in the Past 8 Years: $_____

Table C - All Non-School projects completed in the past 8 years

	Project Name	**Owner**	**Owner's Contact Person and Phone Number**	**Architect**	**Architect's Contact Person and Phone Number**	**Original Contract Amount**	**Total Change Order Amount**	**Final Contract Amount**	**Date of Completion**	**% of work completed with Own Forces**	**Liquidated Damages (Yes or No)**
1											
2											
3											
4											
5											
6											

Total Value of All Non-School Projects Completed in the Past 8 Years: $_____

Table D – Personnel

Key Individuals	**Number of years with this Company**	**Commitment for duration of the Project (Yes or No)**
Project Manager (Name):		
Construction Superintendent (Name):		
Assistant Superintendent (Name):		
Field Engineer (Name):		

Number of school projects this team of key individuals has completed together:

_____

Number of non-school projects this team of key individuals has completed together:

_____

List below the names of all school and non-school projects that at least two of the key individuals listed above have worked on together:

1.	2.
3.	4.
5.	6.
7.	8.
9.	10.
11.	12.
13.	14.
15.	16.
17.	18.
19.	20.
21.	22.

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