

ADDENDUM No. 5
Request for Competitive Sealed Proposals (CSP)
21CSP037 Renovations at Bedichek Middle School

October 2nd, 2020

Received by bidder:

Date: _____

Name: _____

Signature: _____

Item 1: Update to Project Manual Forms 1-7

Item 1:

See below for updated “Form 2 AISD/CSP Bid Documents” as noted in Project Manual Table of Contents. Updated PDF with “comment” deleted from the original posted form.

SUBMISSION AND RESPONSIVENESS CHECKLIST

Completed	Order of Submission	Document
<input type="checkbox"/>	1	Cover Sheet
<input type="checkbox"/>	2	Table of Contents
<input type="checkbox"/>	3	Proposal Form
<input type="checkbox"/>	4	Table A – All Projects in Progress
<input type="checkbox"/>	5	Table B – All School (K-12 and higher education) projects completed in the past 8 years, beginning with projects for AISD
<input type="checkbox"/>	6	Table C – All Non-School projects completed in the past 8 years
<input type="checkbox"/>	7	Table D – Personnel
<input type="checkbox"/>	8	Original Sealed Proposal/Bid Bond
<input type="checkbox"/>	9	Felony Conviction Notice
<input type="checkbox"/>	10	Suspension and Debarment Certification
<input type="checkbox"/>	11	Texas Gov't Code 2270 Verification
<input type="checkbox"/>	12	Printed and signed AISD Addendum Cover Sheets
<input type="checkbox"/>	13	Required HUB Forms (May be turned in up to 24 hours after bid due date to proconteam@austinisd.org)
<input type="checkbox"/>	14	Digital Submission on Flash Drive

AISD Project No. 20-0029BEDCHK

PROJECT INFORMATION

1. **Project Title: AISD Bedichek Middle School Renovations**
2. **Description of work: The project consists of renovations to Administration offices, plumbing fixture replacements, improvements to the existing HVAC system, structural foundation repairs, under-floor ventilation, lighting and electrical improvements, millwork removal, patching of interior finishes, as well as perimeter grading and improving site drainage.**
3. **Architect/Engineer: Haddon + Cowan Architects**
4. **Consultants: Kings ~~Structural~~ Structural Engineering; Wilson & Girgenti, LLC; Jose I. Guerra, Inc.; Hollon+Cannon Group, LLC**
5. **Drawings:** The drawings are as follows and are dated September 04, 2020 unless a different date is shown below.

a. **Drawing List:**

General

G0.00 Cover Sheet
G0.01 Scope Outline

Civil

C100 Civil General Notes
C200 Civil Erosion & Sediment Control Plan
C201 Civil Erosion & Sediment Control Details
C300 Civil Demolition Plan
C400 Civil Enlarged Grading, Drainage & Maint. Plan - North
C401 Civil Enlarged Grading, Drainage & Maint. Plan - South
C500 Civil Details
C501 Civil Details

Architectural

A2.01 Subfloor Plan
A2.02 Floor Plans
A2.04 Roof Plan - Overall
A2.05 Enlarged Plans
A2.06 Enlarged Plans
A3.01 Overall RCP
A3.02 Enlarged RCP
A4.01 Door Schedule & Details

Structural

S001 Structural Notes
S100 Foundation Plan Building A

S200	Enlarged Framing Plan Building A
S300	Foundation Details
S301	Foundation Photos
S400	Framing Details

Mechanical

M0.1	Mechanical General Notes & Outside Air Calcs
M0.1.1	Mechanical Calcs For Phase 5
M0.2	New Mechanical Equipment Schedules
M0.2.1	Mechanical Schedules for Phase 2,4,5
M0.3	New Mechanical Equipment Schedules
M0.4	Mechanical Details
M0.5	Mechanical Details
M0.6	Mechanical Details
M0.7	Condenser & Chilled Water Piping Schematic
M0.7.1	Condenser & Chilled Water Piping Schematic - Phase 4
M0.8	Mechanical Controls
M0.8.1	Mechanical Controls
M0.8.1.1	Mechanical Controls - Phase 5
M0.8.2	Mechanical Controls
M0.8.3	Mechanical Controls
M0.9	Chilled & Hot Water Piping Schematic
M0.9.1	Chilled & Hot Water Piping Schematic - Phase 5
M0.10	New RTU & AHU's - Plans & Elevations
M0.11	Central Plant New Equipment Elevations
M0.12	Central Plant New Equipment Plans - Phase 4
M0.13	New Ahu's - Plans & Elevations - Phase 5
M1.1	Mechanical Demo Plan Central Plant
M1.1.1	Mechanical Demo Plan Central Plant - Phase 4
M1.2	Mechanical Demo Plan Crawl Space
M1.3	Mechanical Demo Plan First Floor & Kitchen
M1.4	Mechanical Demo Plan First Floor
M1.5	Mechanical Demo Plan Second Floor
M1.6	Mechanical Demo Plan Roof
M1.7	Mechanical Demo Plan Penthouse
M2.1	Mechanical Plan Central Plant
M2.1.1	Mechanical Plan Central Plant - Phase 4
M2.2	Mechanical Plan Crawl Space
M2.2.1	Mechanical Plan Crawl Space - Phase 1 & 2
M2.3	Mechanical Plan First Floor
M2.4	Mechanical Plan First Floor
M2.5	Mechanical Plan First Floor
M2.6	Mechanical Plan Second Floor
M2.7	Mechanical Plan Second Floor
M2.8	Mechanical Roof Plan
M2.9	Mechanical Plan Penthouse - Phase 5

Electrical

E1.1	Lighting Demo Plan First Floor Phase 1
E1.2	Lighting Demo Plan Second Floor Phase 1
E2.1	Lighting Plan First Floor - Phase 1

E2.2	Lighting Plan Second Floor - Phase 1
E3.1	Power Plan First Floor - Initial Phase
E3.1.1	Power Plan First Floor - Phase 2
E3.1.2	Power Plan First Floor - Phase 5
E3.2	Power Plan Second Floor - Initial Phase
E3.3	Power Plan Central Plant Initial Phase
E3.3.1	Power Plan Central Plant - Phase 4

Plumbing

P1.1	Plumbing Plan First Floor
P1.2	Plumbing Plan Second Floor

Roofing

R1	Roofing Details
R2	Roofing Details

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

6. Specifications: The specifications are as follows:

Division 00 -- Procurement and Contracting Requirements

- 00 01 10 - Table of Contents
- 00 01 15 - List of Drawing Sheets

Division 01 -- General Requirements

- 01 10 00 - Summary
- 01 25 00 - Substitution Procedures
- 01 30 00 - Administrative Requirements
- 01 31 00 - Project Management and Coordination
- 01 32 00 - Construction Progress Documentation
- 01 35 46 - Indoor Air Quality Management
- 01 40 00 - Quality Requirements
- 01 50 00 - Temporary Facilities and Controls
- 01 60 00 - Product Requirements
- 01 65 00 - General Commissioning Requirements
- 01 74 19 - Construction Waste Management and Disposal
- 01 77 00 - Closeout Procedures
- 01 78 23 - Operation and Maintenance Data
- 01 78 30 - Roofing Installer's Warranty
- 01 78 39 - Project Record Documents
- 01 79 00 - Demonstration and Training
- 01 81 13 - Sustainable Construction Requirements
 - Appendix A - LEED V4 For Schools Checklist
 - Appendix B - LEED V4 For New Construction Checklist
 - Appendix C - Austin Energy Green Building Scorecard
 - Appendix D - Austin ISD Sustainability Scorecard
 - Appendix E - Sustainability Submittal Sheets

Division 02 -- Existing Conditions

- 02 41 00 - Demolition

Division 03 -- Concrete

03 01 30.72 - Strengthening of Concrete with FRP (Fiber Reinforced Polymer)
Reinforcement

Division 06 -- Wood, Plastics, And Composites

06 10 00 - Rough Carpentry
06 10 50 - Roof Carpentry
06 41 00 - Architectural Wood Casework

Division 07 -- Thermal and Moisture Protection

07 55 50 - Modified Bitumen Roofing System Repairs
07 56 00 - Fluid Applied Flashing
07 62 00 - Flashing and Sheet Metal
07 92 00 - Joint Sealants

Division 08 -- Openings

08 11 13 - Hollow Metal Doors and Frames
08 14 16 - Flush Wood Doors
08 71 00 - Finish Hardware

Division 09 -- Finishes

09 21 16 - Gypsum Board Assemblies
09 51 00 - Acoustical Ceilings
09 65 00 - Resilient Flooring
09 68 13 - Tile Carpeting
09 90 00 - Painting and Coating

Division 12 -- Furnishings

12 36 00 - Countertops

Division 22 -- Plumbing

22 01 00 - AISD Commissioning of Plumbing Systems
22 02 00 - Basic Materials and Methods
22 03 00 - Plumbing Demolition for Remodeling
22 07 19 - Plumbing Piping Insulation
22 10 00 - Plumbing Piping
22 40 00 - Plumbing Fixtures

Division 23 -- Heating, Ventilating, And Air-Conditioning (HVAC)

23 01 00 - Commissioning of Mechanical Systems
23 02 00 - Basic Materials and Methods
23 02 01 - Coordination Drawings
23 03 00 - Mechanical Demolition for Remodeling
23 05 13 - Common Motor Requirements for HVAC Equipment
23 05 26 - Variable Frequency Motor Speed Control for HVAC Equipment
23 05 29 - Hangers and Support for Piping and Equipment - HVAC
23 05 53 - Identification for HVAC Piping and Equipment
23 05 93 - Testing, Adjusting, And Balancing - For Public Projects
23 07 13 - Duct Insulation
23 07 16 - HVAC Equipment Insulation
23 07 19 - HVAC Piping Insulation

- 23 09 26a - Direct Digital Controls for Local Building Automation Systems
Tridium-BACNET Web-Based
- 23 09 26c - Commissioning of Building Automation System (Tridium-BACNET)
- 23 09 53 - Refrigerant Monitor System
- 23 21 13 - Above Ground Hydronic Piping
- 23 21 19 - Hydronic Specialties
- 23 21 23 - Hydronic Pumps
- 23 25 16 - Water Treatment for Open Hydronic Systems (Jjm001)
- 23 31 13 - Metal Ductwork
- 23 33 00 - Ductwork Accessories
- 23 37 13 - Air Distribution Devices
- 23 41 00 - Air Filters
- 23 64 26 - Rotary-Screw Water Chillers
- 23 65 13 - Open Circuit Crossflow Cooling Tower
- 23 73 13 - Modular Indoor Central-Station Air-Handling Units
- 23 73 16 - Packaged Air Handling Unit
- 23 81 36 - Rooftop Heating and Cooling Units Electric Cooling - Electric Heat

Division 26 -- Electrical

- 26 01 00 - AISD Commissioning of Electrical Systems
- 26 02 00 - Basic Materials and Methods
- 26 03 13 - Electrical Demolition for Remodeling
- 26 05 19 - Wire, Cable and Related Materials
- 26 05 26 - Grounding
- 26 24 16 - Panelboards
- 26 27 26 - Wiring Devices
- 26 28 13 - Fuses
- 26 28 16 - Safety and Disconnect Switches
- 26 29 01 - Motors and Starters
- 26 29 13 - Motor Starters
- 26 29 26 - Miscellaneous Electrical Controls and Wiring
- 26 51 00 - Lighting Fixtures (Led)

Civil Sections - City of Austin Standards

- Item 104s - Removing Portland Cement
- Item 201s - Subgrade Preparation
- Item 408s - Concrete Joint Materials
- Item 432s - P.C. Concrete Sidewalks
- Item 602s - Sodding for Erosion Control
- Item 610s - Preservation of Trees and Other Vegetation
- Item 642s - Silt Fence
- Item 648s - Mulch Sock

**REQUEST FOR COMPETITIVE SEALED PROPOSALS
INSTRUCTIONS TO PROPOSERS
(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 Proposer must furnish all labor, materials and equipment required for the construction of the following improvements (the “Work”):

The project consists of renovations to Administration offices, plumbing fixture replacements, improvements to the existing HVAC system, structural foundation repairs, under-floor ventilation, lighting and electrical improvements, millwork removal, patching of interior finishes, as well as perimeter grading and improving site drainage.

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

AISD Bedichek Middle School
6800 Bill Hughes Road
Austin, Texas 789745

1.2. Estimated Project Budget: \$ 3,526,000.00

1.3. Minimum Qualifications. Because of the nature of the Work, the selected Proposer 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 §22.08341 (Criminal History Record Information Review of Certain Contract Employees). For purposes of the Project, all workers who will be performing Work on the Project Site will be subject to the AISD background check and badging procedures. Disqualifying criminal histories are outlined in Texas Education Code §22.08341, AISD Board Policy CJA(Legal), CJA (Local) and CJA (Regulation), and the General Conditions of Construction.

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 Contract Documents, Drawings (if any), Specifications (if any), 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 2.3 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 2.3 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 proposer ("Proposer") must contain the documents listed on the submission and responsiveness checklist. **Failure to submit and/or complete required documents may result in Proposer being deemed non responsive and not being evaluated.**
- 3.2. Additional forms required within 24 hours of Bid Proposal Deadline to proconteam@austinisd.org :
 - The completed HUB documents pertaining to this project. It is at the discretion of AISD to accept or reject documents submitted outside of these parameters.
 - The District shall reject any response that does not include fully completed HUB documents. An incomplete HUR is considered a material failure to comply with with the solicitation requirements.
- 3.3. The Proposal information must be typed on the Proposal Form.
- 3.4. The proposer 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 Proposer 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 bound together in a binder or held together with a binder clup, so that that the pages can be easily opened and laid flat for copying. The use of staples is discouraged.

4. METHOD OF SELECTING CONTRACTOR

- 4.1. The proposer **MUST** submit all documents on the Submission and Responsiveness Checklist in order to be evaluated.
- 4.2. The proposer **MUST** submit required HUB documents in order to be evaluated. If the 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.
- 4.3. If the District determines that the proposer failed to implement the HUR in good faith, the District, in addition to any other remedies, may report nonperformance to the Contract and Procurement Department.
- 4.4. 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 Proposer 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 Proposer that offers the best value may or may not be the Proposer that submits the lowest proposal for the cost of construction.
- 4.5. The AISD Contract and Procurement Department will make a recommendation to the Board of Trustees as to the selection ranking of the Proposers. The Board of Trustees will select the Proposer 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 Proposer, AISD shall, formally and in writing, end negotiations with that Proposer and proceed to the next Proposer 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 Request for Competitive Sealed Proposals 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. Proposers will be evaluated based on the following selection criteria and weighted value for each criterion (collectively, "Selection Criteria"):

<u>Selection Criteria</u>	<u>Weighted Value</u>
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. Questions regarding this solicitation and the scope may be submitted following the protocol and time line outlined on the coversheet. 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 Proposer must acknowledge receipt of all Addenda in its Proposal. However, each Proposer 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 Proposer 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 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 Proposer 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 Proposer 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 Proposer's Proposal Guaranty will be forfeited to AISD as liquidated damages and not as a penalty.

8. SUBSTITUTION OF MATERIALS

- 8.1. Proposers 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 Proposer within 5 days after the Contract is signed by the Proposer.
- 9.2. If the Contract amount is over \$25,000, the selected Proposer must provide payment bond, and if the Contract amount is over \$100,000, the selected Proposer 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 Proposer. Bonds must be provided by a Treasury-listed corporate Surety authorized to do business in the State of Texas.
- 9.3. The Proposer'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 Proposer must submit its Safety Program Manual in accordance with the requirements set out in the General Conditions not later than 5 days after the Proposer signs the Contract.
- 10.2. The selected Proposer must submit a Safety Plan for the Project meeting the requirements set out in the General Conditions not later than 5 days after the Proposer 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 Proposer 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 Proposer 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 Proposer to visit the Project Site and acquaint itself with the conditions of the Work and the Contract Documents shall in no way relieve the Proposer 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. Proposers 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.
- 13.3. The requirements of the Texas Public Information Act, Chapter 552 of the Texas Government Code, Subchapter J, may apply to this bid or contract if it is valued at more than \$1 million. The contractor or vendor agrees the contract can be terminated if the contractor or vendor knowingly or intentionally fails to comply with a requirement of that subchapter, including the preservation of all "contracting information" (as defined in 552.003) and the provision, upon request of the governmental entity with whom you are contracting, of all contracting information. Contracting information includes, but is not limited to, records, communications and other documents related to the bid process, contract, payments, receipts, scope of work/services, and performance."

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 Proposer 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 Proposer must:**
1. Sign the Contract no later than 10 days after the selected Proposer has been notified that it is the successful Proposer, 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 Proposer signs the Contract.
 3. Provide Certificate of Insurance before Work commences on the Project.
- 14.2. If the selected Proposer 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 Proposer and begin negotiations with the next ranked Proposer; or
 2. Proceed with the Contract with selected Proposer, but treat each day beyond the 10-day deadline in which the Contract is unsigned by the Proposer, 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 PROPOSER 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 PROPOSER. SUBMISSION OF A PROPOSAL INDICATES PROPOSER'S ACCEPTANCE OF THE EVALUATION TECHNIQUE AND PROPOSER'S RECOGNITION THAT SOME SUBJECTIVE JUDGMENTS MUST BE MADE BY AISD DURING THE SELECTION PROCESS. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, EACH PROPOSER 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 PROPOSER 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. Proposer 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 Proposer 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 Proposer, the successful Proposer 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 Proposer’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 Proposer in connection with this procurement but who is not listed as a proposed subcontractor or supplier on Proposer’s completed HUB Utilization Report, Proposer shall provide feedback to such subcontractor or supplier as to how its bid/proposal compared with the other bids/proposals received by Proposer 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, Proposer 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
4000 S IH 35 Frontage Road
Austin, Texas 78704

Re: AISD CSP No.: 21CSP037

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

Project Number: 20-0029BEDCHK

Project Title: AISD Bedichek Middle School Renovations

The undersigned Proposer (“Proposer”) submits this Proposal for the performance of the Work of construction, alteration or repair (the “Work”) described as follows:

The project consists of renovations to Administration offices, plumbing fixture replacements, improvements to the existing HVAC system, structural foundation repairs, under-floor ventilation, lighting and electrical improvements, millwork removal, patching of interior finishes, as well as perimeter grading and improving site drainage.

The undersigned Proposer 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.

(\$ _____)

Alternate No. 1

Alternate No. 2 (\$ _____)

Alternate No. 3 – N/A (\$ _____)

Alternate No. 4

(\$ _____)

Alternate No. 5

(\$ _____)

Unit Prices

(Chilled Water Piping Replacement) \$/unit

A.2 Substantial Completion Date

All of the Work must be substantially completed no later than 08/06/2021

A.3 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

B. Enclosed Documents

Please refer to the Submission and Responsiveness Checklist for required documents.

C. Proposer Representations and Certifications

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

- C.1.1 Proposer 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 Proposer 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 Proposer has not violated any state, federal or local law, regulation or ordinance relating to bribery, improper influence, collusion or the like, and Proposer 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 Proposer 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 Proposer 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 Proposer has not received any information not available to other Proposers 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 PROPOSER 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 PROPOSER. SUBMISSION OF A PROPOSAL INDICATES PROPOSER'S ACCEPTANCE OF THE EVALUATION TECHNIQUE AND PROPOSER'S RECOGNITION THAT SOME SUBJECTIVE JUDGMENTS MUST BE MADE BY AISD DURING THE SELECTION PROCESS. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, PROPOSER 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 PROPOSER WAIVES ANY CLAIM IT HAS OR MAY HAVE AGAINST THE ABOVE-NAMED PERSONS, DUE TO INFORMATION CONTAINED IN SUCH EVALUATIONS.

- C.4 Proposer has received Addenda to the Request For Competitive Sealed Proposals, and 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. Proposer must print, date and sign all addenda cover sheets and attached them to their bid package.
- C.5 Proposer (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 HUB Utilization Report 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 Proposer in connection with the Work but who is not listed as a proposed subcontractor or supplier on Proposer's completed HUB Utilization Report, Proposer will provide feedback to such subcontractor or supplier as to how its bid/proposal compared with the other bids/proposals received by Proposer 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, Proposer 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. Proposer Information

All of the following information must be provided by Proposer. 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 Proposer is also sometimes hereinafter referred to below as the "organization" or the "company."

D.1 General Information

D.1.1 Name of Proposer: _____

D.1.2 Name of Project: _____

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

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

D.1.5 Proposer's Home Office Address:

D.1.6 Does any relationship exist between the Proposer, 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 Proposer'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 Proposer.

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 Form Logs and 300A Form Logs for the last three completed Calendar (3) years.

If there are no recordable injuries on the OSHA 300 log(s) FOR A SPECIFIC YEAR, the 300 log(s) FOR THAT SPECIFIC YEAR will not be required to be submitted. However, the OSHA 300A Summary Form Log must still be submitted FOR EVERY YEAR.

- OSHA 300A Summary Form 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_____.

Proposer: _____
(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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The full Project Manual, including
required HUB documents, Contract
Documents, Drawings (if any),
Specifications (if any), and Addenda (if
any), may be published as separate files.

The full set of documents is available for
download at [Miller IDS](#) under this
solicitation number and name.

Attached hereto are the following documents, which are required to be filled out and turned in with your proposal:

- Proposal/Bid Bond
- Felony Conviction Notice
- Suspension and Debarment Certification
- Texas Gov't Code 2270 Verification