

**REQUEST FOR QUALIFICATIONS (RFQ)**  
**FOR**  
**PROFESSIONAL INDEPENDENT CONSULTANT**



**RFQ# 2016-01**  
**Peñitas City Hall Project**

**RFQ RESPONSES MUST BE RECEIVED ON OR BEFORE:**  
**May 17<sup>th</sup>, 2016 at 2:00 pm**

NOTE: Proposals must be time stamped at the City of Peñitas City Hall on or before the hour and date specified for receipt of proposals.

## **BACKGROUND INFORMATION**

In South Texas, trace evidence of the presence of Spaniards as early as 1520. The Town of Peñitas, which is located right on the Rio Grande about 13 miles west of McAllen, Texas in southwestern Hidalgo County and around its nearby port of Brazos Santiago on Brazos Island on the Texas coast close to the mouth of the Rio Grande

By 1850, the population of Peñitas totaled to approximately 100 people from 1925 to 1948. During the 1950s, the population peaked at approximately 300 people before slowly decreasing in the 1960s. By 1992, the town had estimated population of 1,077, which increased slightly to 1,167 in 2000. In 2010, the population had increased exponentially to an estimated 4,400 people. And with a recent annexation in 2013, the total population is estimated to be 7,500.

The Citizens adopted the Home Rule Charter for the City of Peñitas, Texas on May 12, 2012. The benefits of local government outlined in the Home Rule Charter affirm the values of representative democracy, professional management, strong political leadership, citizen participation and regional cooperation through the Council-Manager form of government.

The City Council consisting of the Mayor and Four Council Members and the City Manager's Office comprised of the City Manager, City Secretary and City Attorney form the City's strategic team. These two bodies are responsible for the formulation and communication of public policy to meet community needs, assure orderly development in the City, and provide for the general administration of the City.

The strategic team has identified a need to provide core facilities due to the growth of the community which will include a new \$4.6 million municipal building that will house city administration offices and the police department. The project is being funded by the U.S. Department of Agriculture (USDA) and due to the need to execute quickly a Design-Build process has been embraced to meet schedule expectations.

## **PURPOSE OF THIS RFQ**

Utilizing the Request for Qualifications (RFQ) method of procurement, the City Council is requesting qualifications for a firm to provide Professional Independent Consultant services in conjunction with a new \$4.6 million municipal building to be located in Peñitas, Texas.

The City Council wishes to employ the firm to assist in the execution of Design-Build project delivery method as defined in Texas Government Code Chapter 2269, Contracting and Delivery Procedures for Construction Services, Section 2269.305, Use of Architect and Engineer as Independent Representative. Additionally, project development and oversight services in accordance with the terms and conditions set forth in this RFQ.

## **PART I SCOPE OF THIS REQUEST**

### **Professional Independent Consultant (CONSULTANT) Requested:**

The City of Peñitas, Texas (Owner) is requesting statement of qualifications from a professional firm (CONSULTANT) registered as an Architect or Engineer to provide a widely diversified

scope of services to the Owner during the feasibility, development and construction of the new municipal building. THIS IS NOT A BUILDING DESIGN PROJECT. Professional services required by the Owner include, but are not limited to the following:

## **PHASE I – PRE-DEVELOPMENT PLANNING**

### **A. Pre-Development Planning and Analysis**

1. CONSULTANT will meet with Owner to establish expectations, goals, parameters and guidelines for Project.
2. Based on information provided by Owner the CONSULTANT shall review project description, space program, conceptual floor plan, project requirements, preliminary cost estimate, total project budget, schedule, design guidelines and a recommendation for the scope of work required by the Contractor for Project. If Owner does not have information above, then CONSULTANT will assist in completion. This will information will be ultimately used as part of Design Criteria for Design-Build Contractor solicitation.
3. CONSULTANT will at the request of Owner review possible options and present information required as part of B.2 below and presents information to Owner that would allow CONSULTANT to structure solicitation requirements for Project.
4. Assist in identifying and evaluating various forms of financing which could include, but not be limited to, governmental funding, bond financing of various types, mortgage financing, lease financing as well as donations or property transfers that will benefit the Owner. This will include public-private partnership solutions in its variant forms.

### **B. Contractor Selection, Evaluation and Recommendation**

1. The CONSULTANT will assist in preparation of the Request of Proposal (RFP) for the Project which will be used as part of Contractor solicitation and qualification requirements.
2. The CONSULTANT will consult with Owner's Legal Counsel in preparation of legal documents for the Contractor and which will be used as part of RFP solicitation document. These documents could include Contracts, Pricing Delivery, forms or other items necessary for legal requirements.
3. The CONSULTANT will guide the Owner through Contractor selection and evaluation process of all proposals received in response to the RFP for the Project. This process will include the development of forms and documentation and results in identification of best value respondent. The CONSULTANT shall assist in the review and evaluating in a manner that does not disclose the contents of the proposals during the selection process to any persons other than the Owner.

4. CONSULTANT shall confirm that design professional identified for project development have been selected as part of State of Texas Qualification Based Selection Process.
5. As part of Contractor proposal response CONSULTANT shall evaluate proposed project delivery process with Owner and establish protocols, methodology, requirements, and reporting documentation to protect Owner's interest
6. As per direction of Owner, CONSULTANT will assist in the negotiation process with best value respondent.

## **PHASE II – PROJECT DEVELOPMENT EXECUTION**

### **C. Design Process**

1. The CONSULTANT shall assist the Contractor in obtaining required approvals from electrical, gas, water, sanitary or storm sewer, telephone public utilities or other government agency having jurisdiction and in accordance with project requirements.
2. The CONSULTANT shall be responsible for reviewing the completeness and accuracy of the documentation related to project requirements necessary for the construction of the Project provided by the Contractor.
3. The CONSULTANT shall attend regular Project coordination meetings, to be held between the CONSULTANT and the Contractor during the design phase.
4. The CONSULTANT shall attend monthly Owner meetings as required to provide update to the City Council and Executive Administration.
5. CONSULTANT shall perform a constructability review of contract documents; review with Owner and Architect; provide cost analysis of potential cost savings and possible time impact on completion date.
6. CONSULTANT shall coordinate Independent Testing Firm's Activities & Assist in Procurement of these firms (Test & Air Balance, Material Testing, etc.). Coordination of vendors under a separate contract may be required to be coordinated by CONSULTANT as well.

### **D. Construction Administration**

1. The CONSULTANT shall attend monthly construction phase job site meetings and shall provide written report to the Owner.
2. The CONSULTANT shall attend the pre-construction meeting (if applicable).
3. The CONSULTANT shall provide general oversight of the development and construction process, including but not limited to periodic visits to the site as deemed necessary ; make regular reports as may be required by the Owner; keep the Owner

informed of the progress of construction; maintain electronic records for shop drawings, shop drawings logs, RFI logs, deficiency logs, Change Order logs, Proposal Change logs, ASI logs; review contractor's pay applications with Contractor's Architect and Contractor to confirm compliance with work in place; review schedules and drawings for compliance with the design specifications; recommend substitution of materials thereof subject to Owner knowledge and approval; attend the final punch-list inspection(s) of the facility; and secure the Contractor's Certificate of Completion.

**E. Project Closeout**

1. The CONSULTANT, as part of his basic services, shall advise the Owner of any deficiencies in construction of the facility and recommend remedial action.

**F. Other Miscellaneous Services**

1. The CONSULTANT shall provide technical direction to the Owner during the development and construction of Project.
2. The CONSULTANT shall work for the Owner and shall serve as liaison between the Owner and the Contractor during the term of the project.
3. The CONSULTANT will coordinate with Contractor so as to the Contractor may comply with all federal, state and local laws, rules, regulations and ordinances that are applicable and shall fulfill all the requirements set forth in the General Provisions.
4. The CONSULTANT shall endeavor to secure compliance by Contractor with the contract requirements and make reasonable and make reasonable effort for ensuring that the Contractor meets all construction deadlines and report to the City any schedule milestones not being achieved.

**PART II RFQ SUBMISSION INFORMATION**

**A. Legislative Authority**

Any contract authorized as part of this RFQ shall be based on Professional Services Procurement Act; Section 2254.004, Texas Code. In procuring architectural or engineering services, a government entity shall: 1) first select the most highly qualified provider of those services on the basis of demonstrated competence and qualifications; and 2) then attempt to negotiate with that provider a contract at a fair and reasonable price.

**B. Response Deadline**

The response deadline for this RFQ is May 17, 2016 at 2:00. Qualifications must be officially received by this deadline. Official receipt of qualifications will be made by a written entry on the Owner's log of proposals received and a receipt will be issued. Proposals received after the indicated date and time will not be accepted or considered for award. Timely delivery of qualifications to the Owner is solely the responsibility of the respondent.

### **C. Funds Available**

No specific amount of contract award has been prescribed. An actual negotiated fee for service will be based upon a proposed budget, as well as the Owner standards for use of public funds, i.e. that all costs must be deemed in the best interest of the Owner in terms of both quality and cost.

### **D. General Provisions**

1. When submitting a proposal, it is required that the respondent have the necessary professional experience, licenses, prior training, and applicable professional judgment to perform the activities or deliver the services proposed in this RFQ.
2. Proposals received will become a part of the Owner's official files without further obligation to the respondents.
3. The Owner reserves the right to:
  - a) accept or reject any and all proposals
  - b) cancel in part, or in its entirety, this RFQ if it is found to be in the best interest of the Owner,
  - c) pay for no cost incurred for the preparation of any response to this RFQ,
  - d) request additional information from respondents,
  - e) extend the deadline for submission of proposals,
  - f) reissue the Request for Qualifications,
  - g) waive any defect, irregularity, or informality in any proposal or bidding procedure,
  - h) retain negotiation right to clarify, or verify any aspect of a submitted proposal in response to the RFQ,
4. The Owner reserves the right to vary the provisions set forth herein any time prior to the execution of a contract. This RFQ does not commit the Owner to pay for costs incurred by any party prior to the execution of any contract.
5. No employee, officer or member of the Owner shall participate in the selection, development of a response to this RFQ, or award or administration of a contract supported by this RFQ, if a conflict of interest, real or apparent, would be involved.
6. Respondents shall not, under penalty of law, offer or provide any gratuities, favors or anything of monetary value to an officer, employee or member of the Owner. Once RFQ is issued and prior to best value determination, respondents who submit a proposal under this request may not have any contact outside of the formal review process with any employee, officer, or member of the Owner for purposes of discussing or lobbying on behalf of the respondent's proposal.
7. The Owner reserves the right to negotiate the final terms of any and all contracts with successful respondents. Items that may be negotiated include, but are not limited to, type and scope of activities, implementation schedule, and cost. Any contract negotiated as a

result of this RFQ may be extended, modified, or de-obligated in the manner set forth in the contract in order to attain the objectives of the Owner.

8. Any contract executed as a result of this solicitation will contain a copy of the Owner's General Terms and Conditions, a document that is included as a part of all of the Owner's contracts. By reference, these General Terms and Conditions are made an official part of this RFQ. A copy of these Terms and Conditions is available for review from the Owner or, if requested, a copy will be provided.
9. Any contract awarded or executed as a result of this solicitation may be extended for additional time periods at the option of the Owner. The option for additional extensions will be contingent upon the availability of funds and the Contractor's satisfactory performance. The terms and conditions of the contract for additional contract periods shall be the same as the terms and conditions during the initial contract period unless changed by mutual agreement of the Owner and Contractor expressed in a written amendment to the contract.
10. For consideration of award, proposals must be submitted according to format requirements stated in Part III, A.

### **PART III QUALIFICATION REVIEW PROCESS**

#### **A. Minimum Standards of Review**

All proposals will be reviewed to determine the completeness of the proposal prior to being forwarded for the evaluation process. All proposals must meet the following requirements to be considered responsive and subsequently forwarded for the evaluation process:

1. Each respondent must submit one (1) ORIGINAL and five (5) COPIES of their proposal. The original proposal must contain original signatures and it is highly recommended that it be clearly identified as such by being marked ORIGINAL on the cover sheet. The Owner is not liable for differences between the ORIGINAL and the COPIES.
2. All proposals must be typed and completed on 8 ½" X 11" papers, with all pages sequentially numbered and bound.
3. Each proposal must include a written narrative that answers the questions asked in Part V – Requirements for Statement of Qualifications as part of this RFQ package.
4. Each proposal must contain Attachments/Certifications A & B. Note: during the responsiveness review, the submission of all attachments/certifications will be verified; quality or completeness of the submission is not a consideration at this time. Points will be deducted during the grading process for omission of information.

#### **B. Evaluation of Proposals**

1. The selection of a successful respondent for negotiation and consideration of award for Coordinating services shall be made after a thorough evaluation by the Owner, as well as designated and independent evaluators. Each proposal will be evaluated with emphasis on the various factors enumerated below, assigning to each factor a numerical weight.
2. The solicitation process being utilized is the Request for Qualification (RFQ) method of procurement, the award of the contract shall be made on the basis of demonstrated competence and qualifications; awards will not be based on competitive bidding. The Owner will award a contract to the respondent whose demonstrated effectiveness, knowledge/ experience fee for service are considered to be in the best interest of the Owner and which meets the needs of the Owner.
3. The evaluation will be based upon the following criteria, for which a total of 100 points are available to be awarded. In order to ensure maximum points awarded, proposal should be prepared in a concise manner. Clarity of content and completeness are essential. In order to assess the qualifications based upon these evaluation criteria, the respondent must respond to Part V – Requirements for Statements of Qualifications. Part V response will be the basis of the evaluation.

| <u>Evaluation Criteria</u>                             | <u>Point Value</u> |
|--------------------------------------------------------|--------------------|
| Qualifications, Knowledge and Experience               | 50 points          |
| Demonstrated Effectiveness/<br>Organizational Capacity | 50 points          |

**NOTE:** After evaluation, any proposal with a total score less than 70 points will be considered as unresponsive and will be disqualified from further consideration.

### **C. Explanation of Evaluation Criteria**

#### *Qualification, Knowledge and Experience:*

Qualifications, knowledge and experience in providing the same or similar types of services in relation to size, type and complexity of the project will be considered. Respondent's proof of being an accredited and licensed Architect or Engineer eligible to practice in the State of Texas must be submitted. In addition, respondents must demonstrate their qualifications in the form of a resume with at least three (3) references.

#### *Demonstrated Effectiveness/Organizational Capacity*

The demonstrated effectiveness of the proposal will be evaluated in terms of the respondent's proven ability to perform the services requested. Points will be awarded based on the respondent's proven track record in providing the same or similar services as those requested and the respondent's plan for delivering services requested in this RFQ.

#### *Fee for Services*

The fee for services will be negotiated with best qualified respondent. If Owner cannot negotiate a fee based upon mutually agreed upon services, then Owner will proceed to negotiate with next best qualified firm.

#### **D. Tentative Timeline of Events**

|                          |                          |
|--------------------------|--------------------------|
| RFQ Released             | May 3, 2016              |
| Submission Deadline      | May 17, 2016 @ 2:00 p.m. |
| Recommendation for Award | May 25, 2016             |

### **PART IV INSTRUCTIONS FOR SUBMITTING PROPOSALS**

#### **A. General Instructions**

RFQ Requestor: City of Peñitas

Contact Person: Omar Romero, City Manager, (956) 581-3345

Submission of Proposal:

1. One (1) ORIGINAL signed proposal and five (5) copies (herein alternately referred to herein as “proposal” or “response”) should be delivered or mailed to the City of Peñitas, Attention: Mr. Omar Romero, City Manager, PO Box 204, Peñitas, TX 78576.
2. Response Deadline: 2:00 p.m., Tuesday May 17, 2016. Proposals received after this deadline will not be considered. All responses must be received by that date, regardless of the date of postmark. No exceptions will be made regarding the submission deadline.

#### **B. Technical Assistance**

This solicitation contains sufficient information to ensure that all interested parties are able to respond to this solicitation. In order to ensure a fair and equitable process, interested parties are asked to submit proposals based on the information contained herein. Any contact with anyone other than the contact person to either obtain additional information or otherwise attempt to gain favor may cause that firm’s proposal to be disqualified.

### **PART V REQUIREMENTS FOR STATEMENT OF QUALIFICATIONS**

#### **5.1 PART ONE: STATEMENT OF INTEREST**

- 5.1.1 Provide a statement of interest for the project including a narrative describing the prime firm’s unique qualifications.
- 5.1.2 Provide a history and important statistics about the prime firm.
- 5.1.3 Provide a statement about the availability and commitment of the prime firm and its principal(s) and key professionals to undertake the project.

- 5.1.4 Is your firm familiar with Rio Grande Valley and specifically Municipal and or Counties? Identify the projects performed in this area for the previous five-year period?

5.2 PART TWO: PRIME FIRM

- 5.2.1 Provide resumes giving the experience and expertise of the principals and key professional members for the prime firm that will be involved in the project, including their experience with similar projects and the number of years with the prime firm.
- 5.2.2 Describe the proposed project assignments and lines of authority and communication for principals and key professional members of the prime firm that will be involved in the project. Indicate the estimated percent of time these individuals will be involved in the project.
- 5.2.3 For each project listed in response to Part Four list the members of the proposed team for this project who worked on each listed project and describe their roles in those projects.

5.3 PART THREE: PROJECT TEAM

- 5.3.1 Provide an organizational chart showing the roles of the prime firm and each consultant firm or individual.
- 1.3.2 For each consultant firm or individual that the prime firm proposes:
- Identify the consultant and provide a brief history about the consultant
  - Describe the consultant's proposed role in the project and its related project experience
  - List a project that the prime firm and the consultant have worked together on during the last five years
  - Provide a statement of the consultant's availability for the project
  - Provide resumes giving the experience and expertise of principals and key professional members for the consultant who will be assigned to the project.

5.4 PART FOUR: REPRESENTATIVE PROJECTS

- 5.4.1 List a maximum of five projects for which the prime firm provided or is providing professional services which are most related to this project. List the projects in priority order, with the most related project listed first. Provide the following information for each project listed:
- Project name and location
  - Project Owner
  - Project construction cost
  - Project size in gross square feet
  - Whether the project was new construction, an addition, or a renovation

- Dates for planning, design, and construction of the project including the date the construction was substantially complete or is scheduled to be substantially complete
- Description of prime firm's contracted responsibility for the project (prime professional, joint venture, or consultant)
- Description of professional services prime firm provided for the project
- Project description
- Project manager (individual responsible to the client for the overall success of the project)
- Project architect (individual responsible for coordinating the day to day work)
- Names of consultant firms and their areas of expertise
- Description of how this project is similar and why the services provided are relevant to this project.

## 5.5 PART FIVE: REFERENCES

5.5.1 Provide references for any three of the projects listed in response to Part Four, 5.4.1. The references shall include:

- Owner's name, Owner's representative and the Owner representative's telephone number.

## 5.6 PART SIX MISCELLANEOUS INFORMATION

5.6.1 Describe your methodology to ensure that the needs of the Owner, as outlined in this RFQ, will be satisfied and the Project will be completed in a cost effective and timely manner and any special techniques you may employ to facilitate the process.

5.6.2 Describe any unique elements that your firm may provide to this overall process.

**ATTACHMENT A**  
**IDENTIFICATION / CERTIFICATION**

I, the undersigned, submit this proposal and have read the proposal specifications, requirements and conditions which are an integral part of the terms of this solicitation. My signature also certifies that I have read and understand all sections presented in this Request for Qualifications (RFQ) and will comply with the terms if awarded a contract for services. I am authorized to submit the proposal, sign as a representative for the firm, deliver the goods and otherwise carry out services solicited in the RFQ:

Name of Firm: \_\_\_\_\_

Location of Business Headquarters: \_\_\_\_\_

Location of Office that will provide services requested (if different from above): \_\_\_\_\_

\_\_\_\_\_

Name and Title of Primary Contact: \_\_\_\_\_

Telephone #: ( ) \_\_\_\_\_ FAX #: ( ) \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

Name and Title of Signatory Authority: \_\_\_\_\_

Telephone #: ( ) \_\_\_\_\_ FAX #: ( ) \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

\_\_\_\_\_  
Authorized Signatory Signature

\_\_\_\_\_  
Date

**ATTACHMENT B**  
**CERTIFICATION OF PROFESSIONAL QUALIFICATIONS**

Respondent positively affirms and guarantees that he/she meets all of the following mandatory criteria:

Respondent is a properly licensed Architect by Texas Board of Architectural Examiners or is a licensed Professional Engineer by Texas Board of Professional Engineers.

Respondent is fully knowledgeable of the requirements of the Uniform Statewide Building Codes and local building codes for Hidalgo County and City of Peñitas, Texas;

Respondent does not have a record of substandard work;

Respondent meets all specific requirements imposed by State or local law or rules and regulations.

Respondent understands that the evaluation of its proposal shall be based upon the above-listed criteria and that unless it meets said mandatory criteria, it shall not be considered further for evaluation and selection in this procurement process.

CERTIFICATION:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date