

CLARENDON INDEPENDENT SCHOOL DISTRICT
416 S. Allen
Clarendon, TX 79226



REQUEST FOR QUALIFICATIONS
2018-02

for
Construction Manager-Agent Services
Related to Security Improvement Projects

The Board of Trustees of the Clarendon ISD is requesting qualifications for:

CONSTRUCTION MANAGER-AGENT

Construction, renovation and installation of
school security improvements at school campuses

Qualifications will be accepted until 1:00 pm on Friday, August 3, 2018 to:

**Clarendon ISD
ATTN: Mike Norrell, Superintendent
416 S. Allen
Clarendon, TX 79226**

All responses must be annotated with the following:

**Security Improvement Projects
Construction Manager-Agent Services
RFQ #2018-02**

Please enclose one (1) original and seven (7) copies of your response in an opaque envelope with the appropriate annotation to the address above.

Questions regarding this qualifications package should be directed to:

**Clarendon ISD
ATTN: Mike Norrell, Superintendent
416 S. Allen
Clarendon, TX 79226
Ph: (806) 874-2062
Fax: (806) 874-2579
Email: norrell.mike@clarendonisd.net**

EVALUATION CRITERIA

The decision to select a Construction Manager-Agent will be based on demonstrated competence and qualifications as required by Texas Government Code §2269.207 and 2254.004. Among other things, each Construction Manager-Agent's competency shall be evaluated on the following criteria:

<u>CRITERIA</u>	
1.	Reputation of the Construction Manager-Agent or firm
2.	Experience over the last five years assisting Districts with projects of similar size and scope
3.	References
4.	Resumes of key personnel
5.	Location of the firm and ability to provide services in District
6.	Claims or suits filed against the Construction Manager-Agent or firm in past 5 years for professional negligence, if any, and the disposition of such claims, if any
7.	Past relationship with the District
8.	Responsive documents and interviews, if conducted

QUESTIONNAIRE CONSTRUCTION MANAGER-AGENT SERVICES

TIME IS OF THE ESSENCE. The District intends to rank and select a Construction Manager-Agent (“CMA”) no later than August 13, 2018 and to approve the contract with the selected CMA by August 27, 2018. The CMA who contracts with the District for the services set out herein must be capable of beginning work with the District immediately on the Project.

All interested and qualified CMAs are invited to submit a statement of their competence and qualifications consisting of the following:

GENERAL QUALIFICATIONS

The CMA should have expertise and experience in construction administration services for Texas school districts or other public facilities with similar regulatory and legal requirements. The CMA need not have a local office, but the CMA that will be involved in the planning and possible construction administration of this Project should have experience in the Amarillo area and knowledge of local construction practices and procedures.

At a minimum the Response to the Request for Qualifications (“RFQ”) must contain the following:

1. History of the CMA or Firm
2. Construction expertise, capability and quality of CMA
3. Local, regional and statewide experience over the last three years in assisting districts with similar projects
4. Reference contacts and telephone numbers
5. Resumes of key construction personnel
6. Location of the firm and proximity to the work
7. Ability to complete project in reasonable time
8. Lawsuits filed against the CMA or firm in past 10 years for professional negligence, if any, and their disposition
9. Percentage of work that is new building construction compared to percentage of work that is renovation of existing structures
10. Past relationship with the District

Terms and Conditions

CMA shall be responsible for any cost incurred in the preparation of qualifications and participation in the evaluation process, including all legal expenses incurred by CMA in reviewing this RFQ and sample contract documents contained herein. There is no expressed or implied obligation by the District to reimburse any individual or firm for any costs incurred in preparing or submitting qualifications, for providing additional information when requested by the District, or for participating in any selection demonstration/interviews, including contract negotiations.

This RFQ and any resulting award(s) shall be interpreted within the laws of the State of Texas. Venue for any legal action filed relative to this RFQ or any resulting contract shall be in the appropriate state district court in Donley County, Texas.

In the event that any one or more of the provisions contained in this RFQ (or resulting contract) shall be held by a court of competent jurisdiction to be invalid, illegal or unenforceable, such

provisions shall not affect any other provision hereof, and this RFQ (or any resulting contract) shall be construed as if the invalid, illegal or unenforceable provision(s) had never been contained herein.

The District reserves the right to cancel any contract resulting from this RFQ at any time, for any reason (or for no reason) with prior written notice to CMA(s). CMA may cancel any resulting contract, at any time for any reason, or for no reason with a sixty (60) day written notice. Any notice required or permitted to be delivered to the CMA shall be deemed to be delivered when sent via email or US Postal service by registered or certified mail, return receipt requested, postage prepaid, and addressed to the CMA's email and U.S. mail address appearing on the face of its response to this RFQ (or as subsequently revised or changed). Any compensation due the CMA will be limited to services performed and accepted by the District prior to the date of such termination.

Inquiries and Interpretations

Responses to inquiries which directly affect an interpretation or change to this RFQ will be issued in writing by the District as an addendum and faxed or e-mailed to all parties recorded by the District as having expressed of their interest in the RFQ and have contacted Mike Norrell, Superintendent. All such addenda issued by the District prior to the time that qualifications are received shall be considered part of the RFQ.

Only those inquiries to which the District replies by written addenda shall be binding. Oral and other interpretations or clarifications will be without legal effect.

Selection Schedule:

Second Publication of RFQ:	July 26, 2018
Due date for RFQ Responses:	August 3, 2018
Notify Shortlisted Firms (if needed):	July 31, 2018
Board Interview (if needed)/Rank Firms:	August 13, 2018
Selected Party Notified and Begin Negotiations:	Immediately following selection by Board
Board Action on CMA Contract:	August 27, 2018

The Board of Trustees may interview firms evaluated and recommended by the Clarendon ISD Administrative team, who are appointed to evaluate firms from those responding to this solicitation. But, the Board will determine the highest ranked CMA. If in the Board's discretion, however, one firm is able to demonstrate superior competence over all others, the Board reserves the right to select and rank firms on the Responses submitted to the RFQ without conducting interviews.

Parties invited for an interview, if any, may be required to provide comprehensive evidence of CMA services for a project of similar type and size that was performed within the past three (3) years.

All responses shall be evaluated and ranked on the criteria identified above, and final selection will be based upon the CMA's demonstrated competence, in comparison to the needs of the District, the quality of the documents provided, the criteria stated herein, and factors that any entity would consider in selecting a construction manager-agent in compliance with Texas Government Code Chapter 2254 and Chapter 2269, subchapter E.

TIME IS OF THE ESSENCE. Any selected CMA will be required to execute a contract with the District within 7 days of being selected. The District may use AIA contract C132-2009, as modified and amended by the District, in the form attached to this RFQ. This is the form agreement the District intends to use. Any objection or deviation to the contract or contract amendments must be submitted with CMA's Response and will require subsequent Board approval. Material deviations, as determined by the Board, will not be considered.

Firms selected for final consideration, if any, will be notified when the Board selects and ranks CMAs.

INSURANCE

The CMA selected shall maintain professional liability or errors and omissions insurance in the amount of at least \$1 million for each occurrence, and must provide workers' compensation insurance, as required by the Texas Labor Code. The District reserves the right to require additional coverage, as needed, depending on the size and scope of a particular project.

PROJECT SCOPE AND DESCRIPTION

Security Improvement Projects, including construction and renovation of security vestibules and related security features at the following campuses: High School, Jr. High, Elementary.

CONFLICT OF INTEREST. Effective January 1, 2006, any person or entity, as well as agents of such persons, who contracts or seeks to contract with the District for the sale or purchase of property, goods, or services are required to file a Conflict of Interest Questionnaire with the District. A Conflict of Interest questionnaire and affidavit are included in this RFQ. The completed forms must be returned as part of your Response.

NO ISRAEL BOYCOTT CERTIFICATION. The 85th Texas Legislature enacted House Bill 89 (codified in chapter 2270 of the Texas Government Code). As of September 1, 2017, state law requires written certification by a for-profit company before it enters a contract with a local government (i.e., a school district) that verifies that the company does not boycott Israel and will not boycott Israel during the term of the contract. "Boycott" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.

COMPANIES ENGAGED IN BUSINESS WITH IRAN, SUDAN, OR A FOREIGN TERRORIST ORGANIZATION. In accordance with Texas Government Code, Chapter 2252, Subchapter F, District is prohibited from entering into a contract with a company that is identified on a list prepared and maintained by the Texas Comptroller or the State Pension Review Board under Texas Government Code Sections 806.051, 807.051, or 2252.153. By submitting a Response to this RFQ, CMA certifies to District that it is not a listed company under any of those Texas Government Code provisions, and thereby voluntarily and knowingly acknowledges and agrees that any contract resulting from its Response shall be null and void should facts arise leading the District to believe that the CMA was a listed company at the time of this procurement.

CERTIFICATE OF INTERESTED PARTIES

Effective January 1, 2016, Texas governmental entities must comply with the “Disclosure of Interested Parties” mandated by Texas HB 1295, as implemented by the Texas Ethics Commission. Briefly stated, all contracts requiring an action or vote by the governing body of the entity or agency before the contract may be signed (regardless of the dollar amount) or has a value of at least \$1 million will require the on-line completion of Form 1295 “Certificate of Interested Parties,” per Texas Government Code § 2252.908. Form 1295 is also required for any and all contract amendments, extensions or renewals. Therefore, CMA will be required to create, electronically file, and present such Form 1295 to the District using the Texas Ethics Commission’s online filing application at final execution of any contract with the District.

WAIVER OF CLAIMS

BY TENDERING A RESPONSE TO THE DISTRICT’S RFQ, THE CMA ACKNOWLEDGES THAT IT HAS READ AND FULLY UNDERSTANDS THE REQUIREMENTS FOR SUBMITTING A RESPONSE AND THE PROCESS USED BY THE DISTRICT FOR SELECTING THE BEST SUITED CMA FOR THE DISTRICT BASED ON DEMONSTRATED COMPETENCE. FURTHER, BY SUBMITTING A RESPONSE, THE CMA FULLY, VOLUNTARILY AND UNDERSTANDINGLY WAIVES AND RELEASES ANY AND ALL CLAIMS AGAINST THE DISTRICT AND ANY OF ITS TRUSTEES, OFFICERS, AGENTS AND/OR EMPLOYEES THAT COULD ARISE OUT OF THE ADMINISTRATION, EVALUATION, RECOMMENDATION OR SELECTION OF ANY RESPONSE SUBMITTED PURSUANT TO THE DISTRICT’S RFQ.

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

2 Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

Yes No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

Yes No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6 Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7

Signature of vendor doing business with the governmental entity

Date