



CONROE
INDEPENDENT
SCHOOL DISTRICT

RFQL#21-01-02

Construction Manager-at-Risk: Campus Renovations 2022

Issue Date: 1/9/2021

Questions Deadline: 1/25/2021 12:00 PM (CT)

Response Deadline: 2/2/2021 02:00 PM (CT)

Contact Information

Contact: Rick Reeves, Director of Purchasing & Warehouse

Address: Purchasing Department

3205 W. Davis St

Conroe, TX 77304

Phone: (936) 709-7705

Email: rreeves@conroeisd.net

Event Information

Number: RFQL#21-01-02
Title: Construction Manager-at-Risk: Campus Renovations 2022
Type: Request for Qualifications
Issue Date: 1/9/2021
Question Deadline: 1/25/2021 12:00 PM (CT)
Response Deadline: 2/2/2021 02:00 PM (CT)
Notes: Conroe Independent School District is accepting qualification responses for the following services:

Construction Manager at Risk: Campus Renovations 2022

In accordance with the instructions, terms and conditions, and requirements/specifications contained in this solicitation. Note the requirements represented by Bid Attributes and Bid Attachments.

NOTE: PER TEXAS GOVERNMENT CODE 2269.059, THE DISTRICT WILL ONLY QUALIFY BID RESPONSES SUBMITTED IN HARD COPY. THE HARD COPY, OR "PAPER BID" MUST BE RECEIVED BY THE CONROE ISD PURCHASING OFFICE BEFORE THE CLOSE TIME IDENTIFIED WITH THIS SOLICITATION. IN ADDITION TO THE HARD COPY SUBMISSION, THE RESPONDENT IS REQUESTED TO PROVIDE A MATCHING RESPONSE THROUGH THIS ELECTRONIC SYSTEM ("ION WAVE"). ONLY HARD COPY RESPONSES MEETING THE REQUIREMENTS SET FORTH IN THIS SOLICITATION WILL BE CONSIDERED FOR AN AWARD.

Please direct any questions regarding this bid to Mr. Rick Reeves, Director of Purchasing & Warehouse.

Billing Information

Address: Accounts Payable
3205 W. Davis St
Conroe, TX 77304
Phone: (936) 709-7772
Fax: (936) 760-7796
Email: invoice@conroeisd.net

Bid Activities

Bid Advertisement #1 - Newspaper

1/9/2021

This is the date of the first bid advertisement in the newspaper.

Bid Advertisement #2 - Newspaper

1/16/2021

This is the date of the second bid advertisement in the newspaper.

Bid Closing

2/2/2021 2:00:00 PM (CT)

This is the time and date that all proposals must be submitted by. CISD may start opening any sealed proposals that were successfully submitted.

Anticipated Evaluation & Scoring

2/4/2021

The time for the evaluation team to evaluate and score proposals. *Interviews may or may not be requested*

Short-listed Firms notified

2/4/2021 4:00:00 PM (CT)

Step 2 Form Due Date

2/9/2021 2:00:00 PM (CT)

Short-listed Firm Interviews (If necessary)

2/11/2021

Anticipated Award Date

2/16/2021 6:00:00 PM (CT)

The Board Meeting we anticipate recommending awardees to the CISD Board for award.

Anticipated Award Notification

2/17/2021

Send out award letters and or contracts.

Bid Attachments

AIA 305 - PDF.PDF

[View Online](#)

AIA 305

A201 Master Supplemental Conditions A201-2017 - 03.02.2020.pdf

[View Online](#)

A201 Master Supplemental Conditions A201-2017

A133-2009 - Master Working Draft - reference A201-2017 - 02.21.2020.pdf

[View Online](#)

A133-2009 - Master Working Draft - reference A201-2017

INSTRUCTIONS FOR COMPLETING RFQL IN EBIDDING SYSTEM.pdf

[View Online](#)

Instructions for completing the bid in the system_July 31 2019

Downloading_Your_Response_Document_in_Ion Wave ebidding system.pdf

[View Online](#)

Downloading Your Response Instructions

W-9 Form_Oct 2018.pdf

[View Online](#)

Blank W-9 Form - Oct 2018

Requested Attachments

Attachments

(Attachment required)

Attachments provided by the Proposer should be brief and meaningful to this Solicitation. Proposers may attach multiple files; however, due to system limitations, each attachment cannot exceed 25MB in size. It is preferable that attachments be in PDF format. Document names should show Proposer name and document type, such as "COMPANY NAME Insurance Certificate". AIA 305 Document, Financial Statements, and bonding information should be attached here with all pertinent information.

Bid Attributes

1 Notice to Offerors

This Request for Qualifications ("RFQL") is the intention of the Conroe Independent School District (the "District" or "CISD") to request qualifications from qualified firms ("bidder", "respondent", "firm", "proposer") to select a Construction Manager-at-Risk for the Campus Renovations 2022. This selection shall be accomplished in a two-step process as set forth in Chapter 2269, Subchapter F of the Texas Government Code. As used herein, the term "RFQL" also includes the second step of the process - the submission of the responding Construction Manager's proposal(s).

The following is intended to assist the prospective Construction Managers in preparing their qualifications for this work.

The construction budget is described in the preliminary project description provided elsewhere in this request for qualifications (construction budgets presented are approximate and are subject to adjustment). It is intended that Conroe Independent School

District will provide complete documents prior to construction starting.

The Architectural firm involved on the project is:

DLR Group
919 Milam Street, Suite 100
Houston, Texas 77002
Phone: 713-561-3925
Kirk Madison, AIA, LEED AP
kmadison@dlrgroup.com

As part of the required services the selected Construction Manager will provide Pre-Construction phase assistance to the District and its Consultants with the selection of building systems, cost estimating and scheduling during the design phase of the work. If it is determined to be in the best interest of the District, the Construction Manager will then construct the project as a Construction Manager-at-Risk.

Conroe Independent School District will provide preliminary descriptions of the anticipated scope of work for evaluation by candidate Construction Managers. Conroe Independent School District will group, phase, expand, or reduce work scope as necessary to serve the best interests of Conroe Independent School District. Accordingly, all candidate Construction Managers are advised that they must accept as a condition of their candidacy that initially identified work scopes may at any time be grouped, phased, expanded, or reduced, other than as originally described, at Conroe Independent School District's sole discretion.

Responses to the Request for Qualifications shall include **AIA form 305 Contractor Qualifications Statement (located in the "Attachments" tab)** and complete Submission Requirements in the sequence and form prescribed. No other information will be accepted. In the event that the District's Selection Committee deems it necessary, additional information may be requested of the Offeror.

Offerors shall include Five (5) references for projects of similar size and scope. References shall include contact information including current phone, fax and email for Owners and Architects for the referenced projects.

Deadline for Submittal of Qualifications (Step 1): Tuesday February 2, 2021 at 2:00pm CST.

The District will receive, publicly open, and read aloud the names of the Offerors.

Selection Schedule:

1. Qualification Statements are due in the District's online e-bidding system AND hard copy in the District Purchasing Department office at or before **Tuesday February 2, 2021 at 2:00pm CST.**
2. Step 1: Qualification Statements will be evaluated and ranked by the Selection Committee. The Selection Committee will consist of representatives from the Conroe Independent School District with consultation from the consultants.
3. The District anticipates making a short-list of firms from the Qualification Statements received on Tuesday February 2nd. Short-listed firms will be notified by **Thursday February 4, 2021 4:00PM CST.**
4. Step 2: Fee and General Conditions proposals are due from short listed firms, using the forms included as a part of this RFQL, in the District's office shown above, at or before **Tuesday February 9, 2021 at 2:00PM CST**. Conroe Independent School District may choose to conduct face-to-face interviews with short-listed firms. Short listed firm's qualifications scores are subject to adjustment as a result of face to face interviews.
5. Should the District require interviews, interviews with short-listed firms will be held **Thursday February 11, 2021.**
6. It is the intent of the District to consider identification of a Construction Manager-at-Risk at its scheduled Board meeting on **Tuesday February 16, 2021.** This date may be changed to meet District requirements.

NOTE - If a firm is selected to participate in Step 2, the required form will be due in the District's Purchasing Office in a sealed envelope clearly labeled with the firm's name and Conroe ISD RFQL #21-01-02 on the front at or before the specified deadline. There will not be an option to submit this online; DO NOT ATTEMPT TO ATTACH THIS TO YOUR ONLINE BID RESPONSE

Selection Process:

The District's Selection Committee will evaluate and rank each submittal in relation to the criteria described in the RFQL paragraph for selection.

The District may select Construction Managers without conducting interviews or it may develop a short-list(s) of firms to interview. All firms submitting qualifications should be prepared to participate in "live", face-to-face interviews on **Thursday February 11, 2021.**

The District's Board of Trustees may consider the identification of a Construction Manager at Risk at their meeting the evening of **Tuesday, February 16, 2021**. The selection process will follow the requirements of the Texas Education Code Section 44.031 and Texas Government Code 2269.253

Questions & Answers :

Bidders may submit questions regarding this bid online through the Cisd eBid system under the Questions tab. The questions and answers will be made available to all bidders in the Questions tab. It is the bidders' responsibility to check the bid to see if any answers have been posted. The deadline for submitting questions is listed in the "Bid Information" and "Bid Activities" tabs of the RFQL.

The District reserves the right to reject any or all responses, to waive any irregularities and/or technicalities in responses received, or award a part but not all of the work involved in the Project(s). The District, in its sole discretion, will determine whether any or all of the responses are responsive and reserves the right to make a determination as to whether any one or more Respondents are qualified.

I have read and agree to the Notice to Offerors.

(Required: Check if applicable)

2 General Terms and Conditions

1. This solicitation shall be governed by the following documents unless an exception is otherwise taken within this solicitation. Some documents are incorporated by reference only, and may not be attached as part of this solicitation, though they will be considered enforced as part of the solicitation. A copy may be obtained by contacting the Conroe ISD buyer listed on the cover.

1. Texas Government Code [2269](#).
2. Purchasing and Acquisition, Cisd Policy [CV\(Legal\)](#).
3. Purchasing and Acquisition, Cisd Policy [CV\(Local\)](#).
4. Purchasing and Acquisition, Cisd Policy [CVF\(Legal\)](#).
5. Notice to Offerors, Attribute #1 of this solicitation.
6. General Conditions, Attribute #2 of this solicitation.
7. All other Attributes and attached documents included in the "Attachments" tab within this solicitation

2. The bidder, by his/her electronic signature **AND** hard copy submission of response, represents that he/she is authorized to bind bidder to fully comply with terms and conditions of this proposal, including all forms and attachments included and/or referenced herein, for the amount(s) shown on the electronic bid form(s).

3. Board approval and acceptance of a quoted proposal price results in a binding contract. All proposals must provide goods and services at the price offered and accepted by the Conroe ISD Board of Trustees. Quantity requirements are a close approximation, but the right to make variations is reserved. Any failure to provide the goods or services at the price offered and accepted by the School Board may result in legal action being taken against the successful bidder for breach of contract, deceptive trade practices, and all other remedies, legal or otherwise, available to Conroe ISD.

4. Amendments to proposals will represent a true and correct statement and shall contain no cause for claim of omission or error.

5. The Board of Trustees of the Conroe Independent School District reserves the right to reject any and all offers and to waive any formalities or irregularities and to make the award of the contract in the best interest of the School District. Bid award will be made public within seven (7) days of the award. All protests must be filed in writing with the Director of Purchasing within 10 days of the award being made public.

6. If at any time the bidder fails to fulfill or abide by the terms, conditions, or specifications of this contract, Conroe ISD reserves the right to cancel upon 30 days written notification.

7. District specifications have been developed to show minimal standards for the products specified. In those instances where brands are referenced, products equal to or exceeding specifications may be offered as alternates.

8. Proposals must show the unit price based on the specified quantity and pack size requested. Bidders are to offer pricing on proposed items as listed. If offering other than the specified quantity or pack size requested, price should be listed as an ALTERNATE. In addition, the description must list all differences from the specified unit of measure and/or pack size. If this requirement is not followed, the District reserves the right to reject the proposal submitted on that particular item. *If applicable*

9. In the event any article to be sold or delivered hereunder is covered by any patent, copyright, trademark, or application thereof, the seller shall indemnify and hold harmless the District, officers, Trustees, Agents, and employees from any and all loss, cost expenses and legal fees on account of any claims, legal actions, or judgments on account of manufacture, sale or use of such article in violation, infringement or the lack of rights under such patent, copyright, trademark or application.

10. Deliveries shall include transportation costs F.O.B. destination, Conroe ISD, and further requirements as stated in the Special Conditions. If delays are foreseen, written notice shall be given to the Purchasing Department which will take the extensions under advisement. Delivery of purchases in good condition will be bidder's responsibility. No delay in receipt of replacement items will be contingent upon claim adjustment by carrier. All goods are subject to inspection and returned at the expense of the bidder if found to be inferior to those specified. Bidders who fail to deliver as specified may be removed from the bidder list.

11. Inside Deliveries and Installation: Items marked and or designated as inside delivery and installation shall include: delivery of items, unload, set-up and install, and remove all debris and trash. If necessary, the floor shall be swept and or vacuumed so as the condition of the floor is returned to its original state.

12. Drop shipments may be refused if they are not labeled with a Conroe ISD purchase order number. Bidder will be required to pay re-delivery charges, if omitted from the paperwork. Drop shipments must include total quantity ordered for a given item. NOTE: Only CISD North Warehouse and CISD South Warehouse have a dock to unload. All other delivery locations do not have a dock to unload.

13. Conroe ISD is exempt from all applicable Federal and State Tax. Tax-exempt information will be furnished upon request.

14. Per SB 1, Sec. 44.034, a person or business entity that enters into a contract with a school district must give advance notice to the district if the person or an owner or operator of the business entity has been convicted of a felony. The Felony Conviction Notification must include a general description of the conduct resulting in the conviction of a felony.

15. Insurance coverage is required. A copy of current coverage for General Liability, Workman's Compensation and Employer's Liability with Statutory Limits, Automobile Liability and Excess Liability shall be furnished with the response. After board approval of the contract, bidder shall name Conroe ISD as the Certificate Holder and additional insured. See insurance section below for policy minimums.

16. All bidders shall submit at least five (5) references from companies and/or school districts (other than Conroe ISD) for which bidder has provided similar products. References should include the company name, contact name, email address, and telephone number and should be accurate information. If references cannot be reached, lack of response may have a negative impact on scoring.

17. EDGAR: bidders must comply with the REQUIRED CONTRACT PROVISIONS FOR NON- FEDERAL ENTITY CONTRACTS UNDER FEDERAL AWARDS APPENDIX II TO 2 CFR PART 200

18. All awarded vendors shall complete the Texas Ethics Commission's Form 1295 located on the Texas Ethics Commission website. (https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm)

I have read and agree to the Terms & Conditions.

(Required: Check if applicable)

3 Response Submission in Hard Copy (required) and through Ion Wave e-bidding system

NOTE: PER TEXAS GOVERNMENT CODE 2269.059, THE DISTRICT WILL ONLY QUALIFY PROPOSAL RESPONSES SUBMITTED IN HARD COPY. THE HARD COPY, OR "PAPER PROPOSAL" MUST BE RECEIVED BY THE CONROE ISD PURCHASING OFFICE BEFORE THE CLOSE TIME IDENTIFIED WITH THIS SOLICITATION. IN ADDITION TO THE HARD COPY SUBMISSION, THE PROPOSER IS REQUESTED TO PROVIDE A MATCHING RESPONSE THROUGH THIS ELECTRONIC SYSTEM ("ION WAVE"). ONLY HARD COPY RESPONSES MEETING THE REQUIREMENTS SET FORTH IN THIS SOLICITATION WILL BE CONSIDERED FOR AN AWARD.

A LATE PAPER RESPONSE WILL NOT BE ACCEPTED AND THE ASSOCIATED ION WAVE RESPONSE WILL BE DISQUALIFIED. THE DISTRICT WILL NOT BE RESPONSIBLE FOR SOLICITATION RESPONSES DELIVERED TO OTHER LOCATIONS WITHIN THE DISTRICT OTHER THAN THE ADDRESS PROVIDED, DELAYS CAUSED BY THIRD PARTY CARRIERS (E.G. POSTAL SERVICES, COURIER SERVICES, ETC.), TECHNICAL DELAYS OR PROBLEMS, OR ANY OTHER DELAYS OUTSIDE THE DISTRICT'S CONTROL.

SUBMISSION OF PROPOSALS

Proposers should adhere to the requirements of the solicitation. Attachments provided by the Proposer should be brief and meaningful to this Solicitation. Proposers may attach multiple files; however, due to system limitations, each attachment cannot exceed 25MB in size. It is preferable that attachments be in PDF format. Document names should show Proposer name and document type, such as "COMPANY NAME Insurance Certificate".

For the paper copy of the Proposer's, the printed version of the response can be found under the Download tab in the top ribbon of the electronic solicitation. For the process of downloading a response submitted through the Ion Wave program, follow the steps outlined in the "Downloading Your Response Document.pdf" document found under the "Attachment" tab.

Deliver, mail or ship the paper response to:

Conroe ISD Purchasing Office

RFQL#21-01-02 Construction Manager at Risk: Campus Renovations 2022

3205 West Davis

Conroe, Texas 77304

I understand the requirement for paper submission.

(Required: Check if applicable)

4 Special Conditions

1. All project allowance savings realized during the design and construction phases of the project will be returned to the District. This includes Owner and Construction Manager contingency allowances.
2. All unexpended project allowance funds will be returned to the District at completion of the project.
3. Construction Manager will provide an estimate of anticipated buy-out savings at approximately 75% completion of project.
4. At the conclusion of the project, 100% of buy-out savings shall be returned to the Owner.
5. All actual cost information will be made available to the District or its agent(s) during the entire process. A formal audit of the project(s) may be conducted by an independent third party, hired by the District, at selected intervals during the construction phase, prior to final payment, and for a period following construction completion as allowable by law.
6. The District will provide all inspection and materials engineering services.
7. The project(s) will be built with an "open book" philosophy for the entire project team.
8. Pre-Construction Services: The Construction Manager will provide the following:
 - a. Key project personnel shall attend regular meetings with the District and Architect/Engineer to review project status and review and update the construction cost estimate.
 - b. Consult with the District and Architect/Engineer regarding improvements, phasing of the various projects, selection of components, materials, systems, and equipment.

c. Provide recommendations on construction feasibility including estimates of alternative designs or materials, preliminary budgets and possible economies.

d. Prepare, and periodically update, a preliminary Project schedule for the Architect/Engineer's review and the District's approval.

e. The Construction Manager shall coordinate and integrate the preliminary Project schedule with the services and activities of the District, Architect/Engineer and Construction Manager. As design proceeds, the preliminary Project schedule shall be updated to indicate proposed activity sequences and durations, milestone dates for receipt and approval of pertinent information, and submittal of the Guaranteed Maximum Price proposal.

f. When hired, the Construction Manager shall prepare an initial, detailed cost estimate, based on the Contract Documents progress set available at that time, with supporting data for review by the District and Architect/Engineer.

g. During the preparation of the Construction Documents, the Construction Manager shall update and refine the initial cost estimate three (3) times.

h. The District will not proceed with project until the Construction Manager's cost estimate is within the pre-determined budget.

i. If any budget estimate submitted to the District for a project exceeds previously approved budget estimates, the Construction Manager on that project shall make recommendations to the District and Architect/Engineer to reduce the cost of the project.

j. The Construction Manager shall recommend to the District and Architect/Engineer a schedule for procurement of long-lead time items that will constitute part of the Work as required to meet the Project schedule and recovery schedules when necessary to meet project completion requirements. .

k. When the Construction Drawings and Specifications are 90% complete, the Construction Manager shall propose a Guaranteed Maximum Price, which shall be the sum of the estimated Cost of the Work and the Construction Manager's Fee and General Conditions.

l. ***The CM-At-Risk will have full budgetary responsibility from the design phase through the establishment of the Guaranteed Maximum Price.***

9. The Construction Manager shall prepare a Management Plan for the project that describes in detail their intended compliance with schedule requirements, a manpower summary, and other pertinent details supporting the management plan. The Management Plan shall also demonstrate the Construction Manager's commitment to providing BIM (Building Information Modeling) construction documentation and facility operations information.

10. Owner/Contractor Agreement – In the event that the District awards one or more contracts, the District intends to use the AIA Document A133 - 2009, "Standard form of Agreement between Owner and Construction Manager as Constructor," as amended ("Agreement"); and the AIA Document A201 – 2017, General Conditions of the Contract for Construction, as amended (General Conditions of the Contract"). The form of the Agreement is attached.

I have read and understand the Special Conditions.

(Required: Check if applicable)

5 Criteria for Selection

Consistent with the selection criteria described in Section 44.031 of the Texas Education Code and Chapter 2269, Subchapter F of the Texas Government Code, the Conroe Independent School District will apply the following selection criteria for use in this selection process:

1. The price; the total of the Pre-Construction service fee, General Conditions fee, and Construction Manager's fee as determined by CISD evaluation methods. 20 points
2. The offeror's experience and reputation; the demonstration of past successful projects that are similar in size and complexity in operation, schedule and delivery of services. 15 points
3. The quality of the offeror's goods or services; the offeror will provide information showing the quality of their work "goods" and how they go about providing those "services". 15 points
4. The offeror's safety record; the demonstration of the offeror's safety record in construction projects. Expressed as the corporate EMR modifier and other relevant safety culture documentation for the offeror's firm. 5 points
5. The offeror's proposed personnel; the presentation of the work experience of the proposed project team members. 10 points
6. Whether the offeror's financial capability is appropriate to the size and scope of the project(s); the presentation of financial statements for the offeror that demonstrate the financial capability of the firm. 10 points
7. The offeror's prior history in executing construction work for Conroe ISD; the presentation of any and all work that has been completed within the District, providing detailed information, such as which campus, date and type of work that was completed. 5 points
8. The offeror's presentation of a detailed project Management Plan, describing scheduling, manpower, and demonstrating the offeror's current commitment to using BIM (Building Information Modeling) for construction documentation and facility operations information, from pre-construction through completion. 20 points

In Step 1, firms will be scored and ranked based on all of the weighted factors above, with the exception of price. In Step 2, up to 20 available points for price will be added to each finalist's Step 1 score to achieve a final score. CISD reserves the right to reevaluate any firm's Step 1 scores based on performance and information obtained in Step 2 interviews.

I have read and understand the selection criteria.

(Required: Check if applicable)

6 Preliminary Description of the Project

Conroe Independent School District provides the following preliminary description, as an example only, of the anticipated scope of work for evaluation by candidate Construction Managers. As stated previously in this RFQL, and repeated here for emphasis, Conroe Independent School District will group, phase, expand, increase, or reduce work scope as necessary to serve the best interests of Conroe Independent School District. Accordingly, all candidate Construction Managers are advised that they must accept as a condition of their candidacy that initially identified work scopes may at any time be grouped, phased, expanded, increased or reduced, other than as originally described, at Conroe Independent School District's sole discretion.

Project Site & Scope:

Preliminary Description of the Project:

Campus Renovations 2022 – This selection is for multi-campus renovations of Building Systems to include but not limited to HVAC systems, TDLR Renovations, Roofing and Building Envelope Systems, Gym Floor Renovations and associated work for complete and functional systems. Work will also include District Athletic Facility Improvements.

Primary Locations: (Subject to Alteration to the Benefit of Conroe ISD)

Galatas Elementary – (HVAC Renovations)

9001 Cochran Crossing

The Woodlands, TX 77381

Tough Elementary – (Gym Floor Renovations)

11660 Crane Brook Dr

The Woodlands, TX 77382

Anticipated Construction Schedule:

January 2022 – August 2022 (Major Disruptive Scopes of Work June 2022-July 2022)

Anticipated Construction Budget:

\$4,800,000.00

I have read and understand the Prelim Description

(Required: Check if applicable)

7 Restricted and Prohibited Communications

During the period between the date the District issues this RFQL and the selection of the Construction Manager who is awarded a contract by the District, if any, Respondents shall restrict all contact with the District and direct all questions regarding this RFQL, the Construction Manager's response, the interviews, the solicitation process, or any other matter regarding the solicitation, including questions regarding terms and conditions, only to the District's Director of Purchasing. **Do not contact members of the Board of Trustees or other employees of the Conroe Independent School District. Contact with any of these individuals after issuance of the RFQL and before selection of a construction manager is made, may result in disqualification of your response.**

The communications prohibition shall terminate when the contract is recommended by the administration, considered by the Board of Trustees at a noticed public meeting, and a contract has been awarded. In the event the Board refers the recommendation back to staff for reconsideration, the communications prohibition shall be re-imposed. Additionally, during the time period between the award by the Board of Trustees and the execution of the contract, the Respondent shall not engage in any prohibited communications as described in this section.

Prohibited communications includes direct contract, discussion, or promotion of the Respondent's response with any member of the District's Board of Trustees or employees other than communications with the District's designated representatives as set forth in this RFQL and only in the course of inquiries, briefings, interviews, or presentations. This prohibition is intended to create a level playing field for all potential Respondents, assure that decisions are made in public, and to protect the integrity of the solicitation process. Except as provided in the above stated exceptions, the following communications regarding a particular solicitation are prohibited:

- Communications between a potential Respondent, vendor, service provider, bidder, Offeror, lobbyist or consultant and any member of the District's Board of Trustees;
- Communications between any Trustee and any member of a selection or evaluation committee; and
- Communications between any Trustee and administrator or employee.

The communications prohibition shall not apply to the following:

- Communications with the District's purchasing agent and/or architect specifically named and authorized to conduct and receive such communications under this RFQL, or upon the request of the District, with the District's legal counsel.

Nothing contained herein shall prohibit any person or entity from publicly addressing the District's Board of Trustees during any duly noticed public meeting, in accordance with applicable Board policies, on a matter other than this RFQL or in connection with a presentation requested by the District's representatives.

Failure to comply may result in disqualification.

I agree

(Required: Check only one)

8 Purchase Order / AIA Terms and Conditions

Conroe ISD Purchase Order Terms and Conditions are listed at this link. (<http://www.conroeisd.net/department/financial-services/purchasing/>). Bidder agrees to abide by Conroe ISD Purchase Order terms and AIA A133-2009 as amended by Conroe ISD as well as AIA A201-2017 General Conditions and Supplementary Conditions (samples are located in the "Attachments" tab).

I Agree to abide by these Terms & Conditions.

(Required: Check if applicable)

9 Is your principal place of business located in Texas?

Yes No

(Required: Check only one)

10 How many persons are employed in Texas?

(Required: Numbers only)

1
1 **Non-Collusion Statement**

“The undersigned affirms that they are duly authorized to execute this contract, that this company, corporation, firm, partnership or individual has not prepared this proposal in collusion with any other bidder and that the contents of this offer as to prices, terms or conditions of this said contract have not been communicated by the undersigned nor by any employee or agent to any other persons engaged in this type of business prior to the official opening of this proposal.”

I Agree
(Required: Check if applicable)

1
2 **Felony Conviction Notification**

State of Texas Education Code, Section 44.034, Notification of Criminal History, Subsection (a), states “a person or business entity that enters into a contract with a school district must give advance notice to the district if the person or an owner or operator of the business entity has been convicted of a felony. The notice must include a general description of the conduct resulting in the conviction of a felony”. Subsection (b) states “a school district may terminate a contract with a person or business entity if the district determines that the person or business entity failed to give notice as required by Subsection (a) or misrepresented the conduct resulting in the conviction. The district must compensate the person or business entity for services performed before the termination of the contract”. THIS NOTICE IS NOT REQUIRED OF A PUBLICLY-HELD CORPORATION The vendor is to certify that the information concerning notification of felony convictions has been reviewed and the information furnished is true to the best of my knowledge.

The company is a Publicly held corporation Owner / Operator has NOT been convicted of felony

Owner / Operator HAS been convicted of felony

(Required: Check only one)

1
3 **Felony Conviction Response**

If you answered yes to the felony conviction statement, please state the name(s) of the felon(s) and give a general description of the conduct resulting in the conviction of a felony.

(Optional: Maximum 1000 characters allowed)

1
4 **Conflict of Interest Questionnaire Acknowledgement**

Texas Local Government Code Chapter 176.003 requires vendors (or their agents) who enter or seek to enter into a contract with the District to complete and file Texas Ethics Commission form CIQ IF the vendor or agent has a business relationship with the District AND

(1) has an employment or other business relationship with an officer or officer’s family member described by Local Government Code 176.003(a)(2)(A) OR

(2) has given an officer or the officer’s family member one or more gifts with an aggregate value specified by Local Government Code 176.003(a)(2)(B). The form must be filed with the District’s Legal Department. Officers of the District are its Board of Trustees and Superintendent whose names can be found at:
<http://www.conroeisd.net/board/>.

If neither (1) nor (2) exist, it is NOT necessary to file form CIQ.

Please check the box to acknowledge that you have read, understand, and if applicable, completed and return the FORM CIQ: Conflict of Interest Questionnaire, as instructed on the Questionnaire located at
https://www.ethics.state.tx.us/filinginfo/conflict_forms.htm.

I have read and understand the form.
(Required: Check if applicable)

1
5 **Debarment Statement**

Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion Lower Tier Covered Transactions

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 7 CFR Part 3017, Section 3017.510, Participants' responsibilities. The regulations were published as Part IV of the January 30, 1989, Federal Register (pages 4722-4733). Copies of the regulations may be obtained by contacting the Department of Agriculture agency with which this transaction originated.

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to comply with any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

I Agree Unable to comply with this statement

(Required: Check only one)

1
6 **Direct Contact Acknowledgement**

State law requires school districts to conduct criminal history background checks for employees and other persons who have "direct contact" with students at school. "Direct contact" with students is contact that results from activities that provide substantial opportunity for verbal or physical interaction with students and that is not supervised by a certified educator or other professional district employee. Tex. Admin. Code §153.1101(7). For construction projects, direct contact involves any person employed on a project providing engineering, architectural or construction services at an "instructional facility," which is defined as real property, an improvement to real property, or a necessary fixture of an improvement to real property that is used predominantly for teaching the curriculum required under Texas Education Code section 28.002. Tex. Ed. Code §§ 22.08341(a)(2), 46.001.

The undersigned representative, on behalf of the contracting firm, does hereby certify to Conroe Independent School District that no employees, including the undersigned, have or will have direct contact with students, as defined by Tex. Admin Code §153.1101(7) while performing services for the District.

If the services involve construction services at an existing "instructional facility," as defined by Tex. Ed. Code §46.001, the undersigned representative, on behalf of the contracting firm, does hereby certify to Conroe Independent School District that (1) the public work area contains sanitary facilities and is separated from all areas used by students by a secure barrier fence that is not less than six feet in height; and (2) that the contractor has adopted a policy prohibiting employees, including subcontractor employees, from interacting with students or entering areas used by students, informs employees of the policy, and enforces the policy at the public work area. The undersigned, on behalf of the contracting firm identified below, certifies that it has an ongoing responsibility to make a reasonable effort to ensure that the aforementioned conditions/precautions continue to exist throughout the time that the contracted services are provided.

Based on the foregoing, there are no covered employees and no criminal background check is required.

I acknowledge and agree with these statements.

(Required: Check if applicable)

17 Texas Public Information Act

During the course of the selection process, the responses submitted by Respondents are exempt from disclosure to the public under the Texas Public Information Act. However, upon the award of the contract, if any, or the rejection of the responses, the response and all information submitted to the District will become a public record; and therefore, subject to disclosure to any person who makes a proper request for review of the documents. Some of the information you may provide in your response may contain commercial or financial information which is privileged or confidential by statute, or which you feel may cause substantial competitive harm to your business if disclosed by the District to a third-party even after the award. You may be entitled to protect this information at the time the request is made for disclosure; however, you will need to consult your legal counsel to assure that this kind of information, if included in your response, is properly marked as confidential prior to submission.

Wholesale marking of your entire proposal "Confidential" or "Proprietary" will not be effective.

I understand.

(Required: Check if applicable)

18 References

Please complete the reference fields below. Bidder should list as references school districts and/or companies (other than Conroe ISD) for which bidder has provided products or services similar to what is requested on this bid. References must include current and accurate information. If references cannot be reached, lack of response may have a negative impact on scoring. Proposals submitted without five (5) references may be disqualified from consideration. *Email addresses are required*

19 Reference 1

Please enter the following information:

- Company Name:
- Contact Name:
- Phone Number:
- Email Address:
- Scope and size of project:

(Required: Maximum 4000 characters allowed)

20 Reference 2

Please enter the following information:

- Company Name:
- Contact Name:
- Phone Number:
- Email Address:
- Scope and size of project:

(Required: Maximum 4000 characters allowed)

2
1

Reference 3

Please enter the following information:

- Company Name:
- Contact Name:
- Phone Number:
- Email Address:
- Scope and size of project:

(Required: Maximum 4000 characters allowed)

2
2

Reference 4

Please enter the following information:

- Company Name:
- Contact Name:
- Phone Number:
- Email Address:
- Scope and size of project:

(Required: Maximum 4000 characters allowed)

2
3

Reference 5

Please enter the following information:

- Company Name:
- Contact Name:
- Phone Number:
- Email Address:
- Scope and size of project:

(Required: Maximum 4000 characters allowed)

2
4

Insurance Requirements

Insurance requirements are listed in the Supplementary Conditions, Article 11. Please reference the AIA A133-2009, AIA A201-2017, and the Supplementary Conditions for this information.

I have read and understand these requirements.

(Required: Check if applicable)

2
5

Certificate of Interested Parties Form 1295

Certificate of Interested Parties (Form 1295 – must be filled out electronically with the Texas Ethics Commission's online filing application, printed out, signed, and mailed to Conroe ISD Buyer)

Conroe ISD is required to comply with House Bill 1295, which amended the Texas Government Code by adding Section 2252.908, Disclosure of Interested Parties. Section 2252.908 prohibits Conroe ISD from entering into a contract resulting from this procurement process (RFP, RFQL, CSP, Quote, etc.) with a business entity unless the business entity submits a Certificate of Interested Parties (Form 1295) to Conroe ISD at the time business entity submits the signed contract. The Texas Ethics Commission has adopted rules requiring the business entity to file Form 1295 electronically with the Texas Ethics Commission. The following definitions apply:

(1) "Business Entity" means an entity recognized by law through which business is conducted, including a sole proprietorship, partnership, or corporation. TEX. GOV'T CODE § 2252.908(1).

(2) "Interested Party" means a person:

- a) who has a controlling interest in a business entity with whom Conroe ISD contracts; or
- b) who actively participates in facilitating the contract or negotiating the terms of the contract, including a broker, intermediary, adviser, or attorney for the business entity. TEX. GOV'T CODE § 2252.908(3).

(3) "Controlling interest" means:

- a) an ownership interest or participating interest in a business entity by virtue of units, percentage, shares, stock, or otherwise that exceeds 10 percent;
- b) membership on the board of directors or other governing body of a business entity of which the board or other governing body is composed of not more than 10 members; or
- c) service as an officer of a business entity that has four or fewer officers, or service as one of the four officers most highly compensated by a business entity that has more than four officers. TEX. ETHICS COMM. RULE 46.3(c).

(4) "Intermediary" means a person who actively participates in the facilitation of the contract or negotiating the contract, including a broker, adviser, attorney, or representative of or agent for the business entity who:

- a) receives compensation from the business entity for the person's participation;
- b) communicates directly with the governmental entity or state agency on behalf of the business entity regarding the contract; and
- c) is not an employee of the business entity. TEX. ETHICS COMM. RULE 46.3(e).

Proposers must file Form 1295 electronically with the Texas Ethics Commission using the online filing application, which can be found at https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm. Proposers must use the filing application on the Texas Ethics Commission's website to enter the required information on Form 1295. Proposers must print a copy of the completed form, which will include a certification of filing containing a unique certification number. The Form 1295 must be signed by an authorized agent of the business entity. The completed Form 1295 with the certification of filing certificate number and signatures must be filed with Conroe ISD by sending the completed form to the appropriate Conroe ISD Buyer.

Conroe ISD must acknowledge the receipt of the filed Form 1295 by notifying the Texas Ethics Commission of the receipt of the filed Form 1295 no later than the 30th day after the date the contract binds all parties to the contract.

After Conroe ISD acknowledges the Form 1295, the Texas Ethics Commission will post the completed Form 1295 to its website within seven business days after receiving notice from Conroe ISD.

Note: Note: Form 1295 is required when when a contract is valued at \$1 million or more, contracts the require board action, and for any contract for services that requires registration as a lobbyist under Chapter 305 of the Government Code. Publicly traded business entities are exempt from filing a Form 1295.

I Agree

(Required: Check if applicable)

**2
6 Certification Regarding Boycott of Israel**

Contractor hereby certifies and verifies that neither Contractor, nor any affiliate, subsidiary, or parent company of Contractor, if any (the "Contractor Companies"), boycotts Israel, and contractor agrees that Contractor and Contractor Companies does not and will not boycott Israel during the term of this Agreement. For purposes of this Agreement, the term "boycott" shall mean and include terminating business activities or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory. (Tex. Gov't Code §§ 2270.001-.002, 808.001-.006, .051-.057, .101-.102)

The 86th Texas Legislature (2019) passed House Bill 793 to clarify the law. The revised Texas statute is narrowed to only impact vendors that have 10 or more full-time employees and the contract is valued at \$100,000 or more. Sole Proprietorships are exempt from this statute.

I certify my company DOES comply. My company is exempt as a sole proprietorship.

My company does not meet the necessary criteria. I certify my company DOES NOT comply.

(Required: Check only one)

**2
7 Bid Contact Name**

List the name of the person who submitted this bid. (Include Title: Mr./Ms./Mrs.)

(Required: Maximum 1000 characters allowed)

**2
8 Bid Contact Email Address**

Please provide the email address of the person submitting this proposal. Responses are validated for an acceptable email format. (Example: myname@company.net).

(Required: Email address)

**2
9 Bid Contact Address (Street)**

List the street address for award notification, contract estensions, etc. for the bid contact. Use proper grammar and punctuation (ie. 3205 Great Oaks Dr., Ste. 250)

(Required: Maximum 1000 characters allowed)

**3
0 Bid Contact Address (City, State, Zip)**

List the city, state, and zip code for the address listed above. Use proper grammar and punctuation (ie. Conroe, TX 77304)

(Required: Maximum 1000 characters allowed)

3
1 **Bid Contact Phone Number**
List the phone number of the person who submitted this bid. Include area code. List direct number when possible, or list phone number with extension.
 ext:
(Required)

3
2 **Purchase Order Email Address**
Please provide an email address that POs will be emailed to for future purchases. Responses are validated for an acceptable email format. (Example: ordersandpos@company.net).
NOTE: This must be and actively monitored email address.

(Required: Email address)

3
3 **Vendor Responsibility**
“Waiver by Responding Construction Managers (“Respondent” or “Respondents”):
BY SUBMITTING A STATEMENT OF QUALIFICATIONS AND/OR A PROPOSAL (INDIVIDUALLY AND COLLECTIVELY REFERRED TO AS “RESPONSE”), THE RESPONDENT AGREES TO AND DOES HEREBY WAIVE ANY AND ALL CLAIMS IT HAS OR MAY HAVE AGAINST THE CONROE INDEPENDENT SCHOOL DISTRICT, AND ITS TRUSTEES, EMPLOYEES, OR AGENTS ARISING OUT OF OR IN CONNECTION WITH (1) THE ADMINISTRATION, EVALUATION, OR RECOMMENDATION OF ANY RESPONSE; (2) ANY REQUIREMENTS UNDER THE SOLICITATION, THE RFQ, OR RELATED DOCUMENTS; (3) THE REJECTION OF ANY RESPONSE OR ANY PART OF ANY RESPONSE; (4) WAIVER BY THE CONROE INDEPENDENT SCHOOL DISTRICT OF ANY TECHNICALITIES IN THE RFQ PACKAGE OR ANY RESPONSE; (5) WAIVER OR CHANGE IN ANY NON-MATERIAL PROVISION OF THE RFQ SOLICITATION PACKAGE OR MATERIALS THAT DO NOT ADVERSELY AND SPECIFICALLY AFFECT THE PREVIOUSLY SUBMITTED RESPONSES; AND/OR (6) THE AWARD OF A CONTRACT, IF ANY.”

The submission of a response to this RFQL is an offer by the Respondent to contract only and does not constitute a contract. There will be no contractual obligations on the part of the District to any Respondent, nor will any Respondent have any property interest or other right in a contract unless and until all terms of the contract have been agreed upon by the District, including, without limitation, the cost for the services; all provisions of the contract have been negotiated to the satisfaction of the District; the contract is unconditionally signed by the District and the selected Construction Manager; the contract is delivered by all parties; and all conditions to be fulfilled by the Respondent prior to contracting have either been so fulfilled by the Respondent or waived in writing by the District.
 I Agree.
(Optional: Check if applicable)

3
4 **W-9 Form**
A blank W-9 Form can be found in the Attachments section. After completing it, you can attach it in the Response Attachments section.
 I have attached a completed W-9 form.
(Optional: Check if applicable)

3
5 **Submission Requirements**
The following are required in order to be considered for award. If attachments are requested, please attach these items in the "response attachments" tab inside the bid.

3
6

Experience - Selection Criteria #2

List construction projects (preferably similar to the projects included in this RFQL) that have been completed by your firm within the last 5 years. Include a description of each project, delivery method, final cost, and start and completion dates.

(Required: Maximum 4000 characters allowed)

3
7

Quality of Goods and Services - Selection Criteria #3

Provide information exhibiting the quality of your firm's goods and the process on how your firm goes about providing your services.

(Required: Maximum 4000 characters allowed)

3
8

Safety Record - Selection Criteria #4

Submit the following Safety related information:

- a. Express the corporate EMR modifier.
- b. Provide any other relevant corporate safety culture information.
- c. Provide number of lost time incidents during the past five (5) years and the associated number of lost days. Include the number of OSHA citations received during the past five (5) years.

(Required: Maximum 4000 characters allowed)

3
9

Personnel - Project Superintendent - Selection Criteria #5

After considering the scope and schedule of the project(s), identify the specific Project Superintendent(s) proposed to work on the project(s). Indicate the extent of their involvement in the project(s) (full-time or part time) over the entire duration of the planning, design, construction and closeout phases of the project(s). Provide résumés and references for each individual, as well as projects of similar size and scope that the individual(s) have completed.

(Required: Maximum 4000 characters allowed)

40 Personnel - Project Manager - Selection Criteria #5

After considering the scope and schedule of the project(s), identify the specific Project Manager proposed to work on the project(s). Indicate the extent of their involvement in the project(s) (full-time or part time) over the entire duration of the planning, design, construction, and closeout phases of the project(s). Provide résumés and references for each individual, as well as projects of similar size and scope that the proposed team has completed.

(Required: Maximum 4000 characters allowed)

41 Personnel - Pre-Construction, Estimating, and BIM - Selection Criteria #5

After considering the scope and schedule of the project(s), identify the specific Pre-Construction Estimating and BIM proposed to work on the project(s). Indicate the extent of their involvement in the project(s) (full-time or part time) over the entire duration of the planning, design, construction, and closeout phases of the project(s). Provide résumés and references for each individual, as well as projects of similar size and scope that the proposed team has completed.

(Required: Maximum 4000 characters allowed)

42 Financial Capacity - Selection Criteria #6

Provide evidence of financial capacity appropriate to the size and scope of the project(s). Documentation should be included with the AIA 305 submitted in the "Response Attachments" tab.

(Required: Maximum 4000 characters allowed)

4 **Prior History with Working with Conroe ISD - Selection Criteria #7**

3 Provide information for any prior work with Conroe ISD.

*No prior history working with Conroe ISD will result in a midpoint score. Positive history will be scored above the midpoint, negative history will be scored below the midpoint."

(Required: Maximum 4000 characters allowed)

4 **Presentation of Management Plan - Selection Criteria #8**

4 Provide information supporting your firm's management plan, specific to the project(s). Address pre-construction services, scheduling, and manpower for this project as it has been described in this document.

(Required: Maximum 4000 characters allowed)

4 **Building Information Modeling - Selection Criteria #8**

5 Describe your firm's ability to incorporate BIM services in pre-construction, construction, as-built, and facilities operations.

(Required: Maximum 4000 characters allowed)

4 **Why is CM best candidate for this project? - Selection Criteria #8**

6 Describe why your firm is the best candidate for this project, and what can your firm bring to Conroe ISD that separates it from other construction managers?

(Required: Maximum 4000 characters allowed)

47 Conflict Management - Selection Criteria #8
Describe your role in ensuring the Owner, Architect, Engineer, and Construction Manager work as a team so that conflict resolution does not affect the outcome of the project?

(Required: Maximum 4000 characters allowed)

48 What are the challenges for this project? - Selection Criteria #8
Describe what challenges you foresee in the execution of this project, and what will your firm do differently than others to ensure the success of this project?

(Required: Maximum 4000 characters allowed)

49 General Conditions - Selection Criteria #8
Describe your firm's philosophy on General Conditions.

(Required: Maximum 4000 characters allowed)

50 AIA 305 Response
The AIA 305 Document is required to be completed (located under the "Attachments" tab) and submitted (attach as a completed PDF under the "Response Attachments" tab) as part of the bid requirements listed under attribute #1.

I have attached this document per requirement.

(Required: Check if applicable)

51 Bid Submittal Compliance
I have completed the bid online and will send (1) one, signed hardcopy of the bid to the Conroe ISD Purchasing Department in order to be compliant with the requirements of attribute #3.

*Please print your electronic bid response (under "documents" in the bid and any response attachments), sign, and send to Mr. Rick Reeves, Director of Purchasing & Warehouse, on or before the closing date and time listed in this RFQ in order to be considered compliant. **Failure to complete the online bid submittal AND submit a printed, hard copy of the response to the Purchasing Department will result in your response being considered non-responsive.**

I have read and understand this requirement.

(Required: Check if applicable)

Supplier Information

Company Name: _____

Contact Name: _____

Address: _____

Phone: _____

Fax: _____

Email: _____

Supplier Notes

I affirm that all statements and information contained in this proposal is true and correct. By electronically signing this document and submitting the proposal, I certify that I have the authority to legally bind my company in this proposal.

Print Name

Signature