

**Pine Tree Independent School District
Longview, Texas**

**DESIGN-BUILD SERVICES FOR ESSER-FUNDED
HVAC SYSTEM UPGRADE PROGRAM**

REQUEST FOR STATEMENT OF QUALIFICATIONS

RFQ FOR DESIGN BUILD SERVICES – ESSER FUNDED HVAC SYSTEM UPGRADES

Pursuant to Texas Government Code 2269 – Subchapter G, this Request for Qualifications (RFQ) is intended to solicit qualifications from design-build firms or energy service companies (Respondents) with capabilities to develop, design, install, and manage performance of a program utilizing ESSER funding to upgrade facility HVAC systems for Pine Tree ISD (“Owner”). For the purpose of this RFQ, “Respondent” refers to any entity or team that is qualified to provide all of the services as listed in this request. It is the intent of Owner to select the Respondent demonstrating the **best overall value** to the Owner, and to enter into an agreement to provide comprehensive HVAC – related services to Owner.

Sealed responses shall be received no later than:

Friday, September 10, 2021 @ 2:00 P.M., C.D.T

RETURN RESPONSE TO:

Name: Matthew Davenport
Title: Assistant Superintendent-Business and Finance
Physical Address: 1701 Pine Tree Road
Mailing Address: PO Box 5878
Longview, Texas 75608

Please mark envelope:

**“DESIGN BUILD SERVICES – ESSER-FUNDED HVAC SYSTEM UPGRADE
PROGRAM”**

Responses received after the deadline will not be considered.

Requests for clarification of any part of this solicitation must be in writing by September 3, 2021. Such requests may be emailed to **Matthew Davenport – Assistant Superintendent Business and Finance** at **mdavenport@ptisd.org**.

REQUEST FOR QUALIFICATIONS

August 27, 2021

Answers will be provided to all known responders as a written addendum to the RFQ. It is the responder's responsibility to verify the issuance of Addenda in regard to this RFQ.

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A – OWNER SUPPLIED INFORMATION

1. PURPOSE OF SOLICITATION

Pursuant to Texas Government Code 2269 – Subchapter G, this Request for Qualifications (RFQ) is intended to solicit qualifications from design-build firms or energy services companies with capabilities to develop, design, and install ESSER-Funded HVAC System Upgrades for Owner. For the purpose of this RFQ, “Respondent” refers to any entity or team that is qualified to provide all of the services as listed in item A-3 below. It is the intent of Owner to select the most qualified Respondent to partner with that will provide design-build services to Owner. Owner intends to complete, at a minimum, the preliminary scope of work outlined in Appendix A. Owner retains the right to utilize this solicitation for additional work, from time to time, should additional grants or funding opportunities become available.

2. OWNER BACKGROUND

The Owner has identified potential work in the following campuses:

Campus
Pine Tree High School
Birch Elementary School
Parkway Elementary School

3. SERVICES REQUESTED

Owner requests the turnkey services of a design-build firm or energy service company (Respondent) with the capability to complete the following scope of work:

1. Analysis and assessment of Owner’s facilities to determine deficiencies and needs
2. Development of ESSER – Qualified/Eligible HVAC upgrade projects for Owner’s consideration
3. Design and Engineering of approved projects
4. Assistance with ESSER documentation and managing the Federal requirements associated with ESSER Funding
5. Installation / implementation of the approved projects
6. Commissioning of the installed systems
7. On-going Performance management services if requested

4. PROJECT BUDGET:

The Owner has budgeted \$4,000,000 for the preliminary scope of work outlined in Appendix A. Owner understands and acknowledges that scope change may result in either an increase or decrease in budget.

5. **PRELIMINARY PROJECT SCHEDULE:**

Owner issues Request for Qualifications	8-27-21
Owner receives responses to Request For Qualifications	9-10-21
Owner announces Respondents qualified for further consideration	9-13-21
Owner, at our option, interviews Respondents to RFP	TBD
Owner Board approval of selected respondent	9-13-21
Project development completed	11-1-21
Board approval of final project	11-15-21
Substantial completion of project implementation	11-15-22

6. **Procurement Process**

a. **Phase I RFQ**

The Request for Qualifications (RFQ) is the first step in a multi-step process aimed at identifying one or more qualified respondents. In Phase I, the district will evaluate each respondent’s experience, technical competence, and capability to perform, the past performance of the respondent’s team and members of the team, and other appropriate factors submitted by the team or firm in response to the request for qualifications, except that cost-related or price-related evaluation factors are not permitted.

b. **Selection of Qualified Provider or Short-list of Providers**

A committee has been formed to review responses submitted. Based on the selection criteria described in this document, the committee may short-list a maximum of three (3) of the most qualified respondents. The Owner retains the right to select only one respondent at this stage and negotiate a contract. The Owner may also determine that no qualified submittals have been received and reject all submittals.

c. **Oral Presentation (Owner’s Option)**

Oral presentations may be required of each of the interested short-listed respondents covering any unique qualities, methodologies, or approaches taken to differentiate from other Respondents. Short-listed respondent’s **may** be asked to provide additional information to the Owner regarding demonstrated competence and qualifications, considerations of the safety and long-term durability of the project, the feasibility of implementing the project as proposed, the ability to meet schedules, costing methodology, or other factors as appropriate. This additional information will be used in addition to prior information received in further evaluating the short-listed respondent’s to determine a rank-order of the short-listed firms.

d. **Negotiate Project Development Agreement**

The district shall select the design-build firm that submits the proposal offering the best value for the district on the basis of the published selection criteria and on its ranking evaluations and enter into negotiations. It is anticipated that negotiations would encompass all phases of work, including but not limited to: engineering fees, preconstruction services, labor rates, contingency/risk, bonds, and markups for overhead and profit on subcontractors, as well as any other items the Owner feels are appropriate. If negotiations are successful, Owner and the highest ranking Respondent will enter into an agreement to develop the project proposal(s) as outlined in this RFQ. If an acceptable agreement

cannot be reached between the Owner and the highest ranking Respondent, the Owner may choose to negotiate with the next highest ranking Respondent.

e. Project Development

The selected Respondent will develop the project proposal(s) based on the preliminary scope outlined in Appendix A. Owner expects the Respondent to complete the project development on a contingent basis (i.e. not bill for the development until completed and the implementation is funded) and roll the agreed upon cost of the development into the implementation cost. The owner reserves the right to pay for the development separately. At the conclusion of Project Development, Respondent will provide Owner with a final scope of work and cost for the agreed upon scope of work.

f. Project Implementation

After approval of the final scope of work and price proposal, the Respondent will provide turnkey engineering, design, and construction management services.

7. Instructions to Respondents

a. Public Information

All information, documentation, and other materials submitted in response to this solicitation are considered non-confidential and/or non-proprietary and are subject to public disclosure under the Texas Public Information Act (Texas Government Code, Chapter 552.001, et seq.) after a contract is awarded. The Owner strictly complies with all statutes, court decisions, and opinions of the Texas Attorney General with respect to disclosure of RFQ information.

b. Type of Contract

Any contract resulting from this solicitation will be in the form that meets any and all requirements of the final financing options and/or statutory requirements related to project approval criteria.

c. Clarifications and Interpretations

Any clarifications or interpretations of this RFQ that materially affect or change its requirements will be included in an addendum and issued to each potential respondent. It is the responsibility of all respondents to obtain this information in a timely manner. All such addenda issued by the Owner before the proposals are due shall become a part of the RFQ, and respondents shall acknowledge receipt of and incorporate each addendum in its response. Respondents shall consider only those clarifications and interpretations that the Owner issues by addenda five (5) days prior to the submittal deadline. Interpretations or clarifications in any other form, including oral statements, will not be binding on the Owner and should not be relied on in preparing Qualifications.

d. Deadline

The Owner will receive Qualifications at the time described below.

Friday, September 10, 2021 @ 2:00 P.M., C.D.T

Submit four (4) identical copies of the Qualifications to:

Name:	<u>Matthew Davenport</u>
Title:	<u>Assistant Superintendent-Business and Finance</u>
Physical Address:	<u>1701 Pine Tree Road</u>
Mailing Address:	<u>PO Box 5878</u>
City, ST Zip:	<u>Longview, Texas 75608</u>

Late received Qualifications will be returned to the Respondent unopened.

e. Delivery and Submission

The Owner will not acknowledge or receive Qualifications that are delivered by telephone, facsimile (fax), or electronic mail (e-mail).

Properly submitted Qualifications will not be returned to respondents.

Qualifications materials must be enclosed in a sealed envelope (box or container); the package must clearly identify the submittal deadline, the RFQ title, and the name and return address of the respondent.

f. Point of Contact

The Owner designates the following person as its representative and Point-of-Contact for this RFQ. Respondents shall restrict all contact with the Owner and direct all questions regarding this RFQ to the Point-of-Contact person.

Name:	<u>Matthew Davenport</u>
Title:	<u>Assistant Superintendent-Business and Finance</u>
Address:	<u>1701 Pine Tree Road</u>
City, ST Zip:	<u>Longview, Texas 75608</u>

g. Evaluation of Qualifications

The evaluation of the Qualifications shall be based on the requirements described in this RFQ. All properly submitted Qualifications will be reviewed, evaluated, and ranked by the Owner. Qualifications shall not include respondent's fees, pricing, or other compensation.

h. Owner's Reservation of Rights

The Owner makes no representations of any kind that an award will be made as a result of this RFQ, or subsequent RFP and no such representation is intended or should be construed by the issuance of this RFQ. The Owner reserves the right to reject any and all Qualifications and re-solicit for new Qualifications, or to reject any and all proposals and temporarily or permanently abandon the Project. The Owner reserves the right to waive any formalities or minor technical inconsistencies, or delete any item/requirements from this RFQ when deemed to be in Owner's best interest.

i. Acceptance of Evaluation Methodology

By submitting its Qualifications in response to this RFQ, respondent accepts the evaluation process and acknowledges and accepts that determination of the "most qualified" firm(s) will require subjective judgments by the Owner.

j. No Reimbursement for Costs

Respondent acknowledges and accepts that any costs incurred from the respondent's participation in this RFQ shall be at the sole risk and responsibility of the respondent.

8. Use By Other Government Entities

Texas Education Code 44.031 (a) (5) allows for government entities, i.e. state agencies, local governments and school districts, to enter into cooperative agreements to allow the procurement process to be performed by a single entity on behalf of all those electing to participate. Any of the above entities may be granted the privilege of joining the awarded contract at the option of the successful bidder only. In the event the successful bidder allows another governmental entity to join the Owner contract, it is expressly understood that the Owner shall in no way be liable for the obligations of the joining entity.

By submitting a response to this RFQ, the Respondent agrees that, should other governmental entities with cooperative agreements with Owner be interested in this contract, all terms, conditions, specifications and pricing would apply.

B - RESPONDENT'S SUBMITTAL

1. General Instructions

Qualifications shall be prepared simply and economically, providing a straightforward, concise description of the respondent's ability to meet the requirements of this RFQ. Emphasis shall be on the quality, completeness, clarity of content, responsiveness to the requirements, and an understanding of Owner's needs.

Respondents shall carefully read the information contained in this RFQ and submit a complete response to all requirements and questions as directed. Incomplete Qualifications will be considered non-responsive and subject to rejection. Failure to comply with all requirements contained in this Request for Qualifications may result in the rejection of the Qualifications.

Qualifications shall consist of answers to questions identified in this RFQ. It is not necessary to repeat the question in the Qualifications; however, it is essential to reference the question number with the corresponding answer. Qualifications that are qualified with conditional clauses, alterations, items not called for in the RFQ documents, or irregularities of any kind are subject to rejection by the Owner, at its option.

2. Format

A. Page Size, Font Size, Binding, Dividers and Tabs

Qualifications shall be a MAXIMUM OF FIFTY FIVE (55) PRINTED PAGES. The cover, cover letter, table of contents, and divider sheets do not count as printed pages.

Minimum font size allowed is 11.

Qualifications shall be printed on letter-size (8-1/2" x 11") paper and assembled with spiral or coil bindings.

Additional attachments shall NOT be included with the Qualifications. Only the responses provided by the respondent to the questions identified in this RFQ and in the oral interview will be used by the Owner for evaluation.

Separate and identify each criteria response by use of a divider sheet with an integral tab for ready reference.

B. Table of Contents

Submittals shall include a "Table of Contents" and give page numbers for each part of the Qualifications.

C. Pagination

Number all pages of the submittal sequentially using Arabic numerals (1, 2, 3, etc.).

3. Required Information for Phase I

Criteria 1: Unique Qualifications

- 1.1. Provide a statement of interest for the project including a narrative describing the Respondent's (and any subconsultant's) unique qualifications as they pertain to this particular project. Limit this section to 5 pages.

Criteria 2: Corporate Qualifications

- 2.1 Provide a brief history of your firm and any proposed subconsultants and/or subcontractors. At a minimum, include the following information:
 - Number of years your firm been in business under its present name;
 - All other names by which your firm has been known and length of time known by each name;
 - The address of your firm's website, if applicable;
 - Location of parent company headquarters. If international, please list international headquarters;
 - Location of office from which project will be managed; and,
 - Revenues for each of the last two (2) years for work performed **in Texas**.
- 2.2 List the complete range of services and capabilities your firm offers (e.g., energy analysis, HVAC design, construction management, ESSER/other Federal funding documentation assistance, etc.). Indicate all services which your firm performs with your own employees, and those which are usually subcontracted.
- 2.3 List any equipment manufactured by your company that may be included with this project. Describe your willingness to include other manufacturers' products. Identify and describe any business associations with equipment manufacturers or suppliers that might be specified for this project.
- 2.4 List past or present litigation in which your company is a defendant pertaining to Design-Build HVAC renovation projects.
- 2.5 List any contracts in Texas in the last ten years that were terminated by the owner prior to completion due to non- performance.
- 2.6 Provide a claims history under professional malpractice insurance for the past five (5) years for the Respondent and any subconsultants or team members proposed to provide professional engineering services.

Criteria 3: Personnel Qualifications

Provide information regarding capabilities and experience of personnel directly assigned to this project that include the following:

- 3.1 Clearly identify who will have primary technical responsibility for engineering and design work, contract negotiations, construction management, training, and any other aspect of the project implementation or post-construction services. **Please do not list individuals that will not be assigned to the project.**

- 3.2 If applicable, provide a statement certifying to the Owner that each engineer or architect that is a member of its team was selected based on demonstrated competence and qualifications, in the manner provided by Section 2254.004, Government Code.
- 3.3 Provide an organizational chart that clearly describes your firm's project organization with supervisory reporting for this program, along with each subconsultant and their area of responsibility.
- 3.4 Professional resumes for key personnel and their responsibilities for the duration of the Contract. Resumes should include a list of previous projects, similar in size and complexity, in which the team member has played a significant role.

Criteria 4: Program and Project Methodology

- 4.1 Describe your firm's methodology of developing and implementing comprehensive HVAC, energy efficiency and conservation programs and projects for Owners. Address in detail the following key components, if provided by your firm or team, and how you would approach each one:
 - Facility Surveys
 - Energy modeling and analysis
 - Project development
 - Engineering and design
 - ESSER applicability/eligibility of HVAC-related
 - Funding/financing (including incentives and rebates)
 - Construction and project management
 - Commissioning/Retro-commissioning (RCx)
 - Training
 - Measurement and verification of results
 - Guarantee of energy savings (if offered)

Criteria 5: References

- 5.1 Discuss your project team's experience with implementing HVAC / energy efficiency and conservation / facility improvement projects in Texas K-12 school districts within the last 48 months **only**. List all relevant Texas **ISD** references, including the following specific information for each project:
 - Year project was completed
 - Project title and location(s)
 - Name, address, phone number and email of Owner's representative
 - Team member(s) involved and nature of team member's responsibility
 - Name of Sales / Account Manager, lead Project Developer, and lead Project Manager at time of contract execution
 - General scope of work for the program
 - Total dollar contract amount

- Type of contract (guaranteed savings, shared savings, GMP, etc.)
- Source(s) of project funding

APPENDIX A
PRELIMINARY PROJECT SCOPE OF WORK

1. HVAC redesign and associate controls retrofits
2. Indoor air quality improvements
3. Integration of controls to existing district building automation system
4. Other facility improvement / conservation measures

By submitting this proposal, the proposer”

- a) Represents that to the best of its knowledge the proposer is not indebted to the Pine Tree Independent School District. Indebtedness to the District shall be basis for non-award and/or cancellation of any award;
- b) Certifies that it does not and will not engage in employment practices which have the effect of discriminating against employees or prospective employees because of race, color, religion, nation origin, sex, age, handicap, political belief or affiliation, and that it will abide by the Equal Employment Opportunity requirements of the State of Texas and the Pine Tree Independent School District.
- c) Acknowledges that it has read, understands, and agrees to the requirements of the specification and all other provisions of this solicitation.
- d) Certifies that it has not colluded or attempted to collude with other vendors or merchants in the trade to fix or hold prices above the level attained through a free and competitive market.
- e) Certifies that the owner operator has not been convicted of a felony, except as indicated on a separate attachment to this proposal, in accordance with Sec. 44.034, Texas Education Code.

The proposer, by checking the applicable box, represents that: It operates as () a corporation incorporated under the laws of the State of _____, () an individual, () a partnership, () a non-profit organization, or () a joint venture; or

If the proposer is a foreign entity, it operates as () an individual, () a partnership, () a non-profit organization, () a joint venture, or () a corporation, registered for business in _____ (Country).

The State of Texas does not employ a resident preference however; it does employ a reciprocity rule. Proposers whose principal place of business is located in a state which gives preference to resident proposers are subject to the same restrictions when submitting a proposal with an entity of the State of Texas.

Signature – Officer

Date

**Please return this page with any attachments with your proposal.
Also, please complete HB89 attached and return with your proposal**