



HOUSTON-GALVESTON AREA COUNCIL
Request for Proposal (RFP)
H-GAC Main Office Renovations General Contractor/Construction Manager
Solicitation Number: FIN-AD-RENOGC-10-2022

EVENT	DATE
ISSUED:	Tuesday, October 18, 2022
PLANS REQUEST	See page 12, Part VI
SITE-VISIT DATE:	Friday, October 28, 2022 @ 10:00 a.m. CST Information on the Site-Visit is on page 12 item A.
QUESTIONS DEADLINE:	Monday, October 31, 2022 @ NOON CST
SHAREFILE ACCESS INVITATION REQUEST DEADLINE:	Wednesday, November 09, 2022 @ NOON CST Requests made after this time will <u>not</u> be accepted.
CLOSING DATE / SUBMISSION DEADLINE:	Thursday, November 10, 2022 @ NOON CST
CONTRACTOR INTERVIEW DATE:	Monday, November 21, 2022
ESTIMATED BOARD APPROVAL DATE:	Tuesday, December 20, 2022
ESTIMATED CONTRACT START DATE:	January 2023
FORMAT:	One (1) electronic copy in PDF format. Please combine all files being submitted into one (1) pdf. Additional files may not be reviewed.

Please read the submission instructions carefully, exceptions cannot be made if instructions are not followed:
SUBMISSION and PLANS REQUEST: Respondent must email the below information (1-3) to purchasing@h-gac.com to request access to the ShareFile folder where Respondent will download a copy of the test fits and permit set documents. **This will also be the same folder you upload your Response. The request for access to the folder must be made before indicated deadline;** requests received after the deadline will **NOT** be accepted. SUBMISSIONS WILL **NOT** BE ACCEPTED BY EMAIL OR MAIL.

1. Company Name and Company Representative Name
2. Representative Email Address (for ShareFile folder access)
3. Subject Line: "ShareFile Folder Access Request enter solicitation number"

If technical issues with the ShareFile System arise, preventing all Respondents from submitting a response within the two (2) hours preceding the deadline, the solicitation due date and time may be automatically extended for a period of 24 hours. Any technical issue must be with the ShareFile system and affect all respondents. H-GAC will verify the technical issue or unavailability of the ShareFile system. Technical issues localized to a single Respondent will not be considered cause for an extension. **It is strongly recommended that submissions be uploaded no later than four (4) hours prior to the deadline.** H-GAC is not responsible for attempting to resolve any technical issues occurring four (4) hours before the submission deadline, nor is H-GAC responsible for incomplete or late submissions.

Recording of submission time and date will occur via ShareFile. Submissions uploaded after the deadline will not be accepted or opened. Responses may be submitted any time prior to the submission deadline. To satisfy any required public opening, H-GAC will post only the names of the companies which submitted responses to the H-GAC website (<http://www.h-gac.com/procurement>) as soon as possible after the closing date.

SIGNATURE PAGE

A signature below constitutes acknowledgement and acceptance of all the **Solicitation Terms and Conditions** located at <https://www.h-gac.com/getmedia/d80790aa-ac7c-466e-9849-9a457210da6e/Solicitation-Terms-and-Conditions> and can be downloaded in .pdf for review. Respondents, their authorized representative, and their agents are responsible for obtaining, and will be deemed to have, full knowledge of the conditions, requirements, and specifications of this Solicitation at the time a response is submitted to H-GAC. This Solicitation does not commit H-GAC to award a contract, issue a Purchase Order, or pay any costs incurred in the preparation of a submission to this Solicitation. The submission will become part of H-GAC's official files without any obligation on H-GAC's behalf. All Submissions will be held confidential from all parties other than H-GAC, until after a contract is executed; then submissions become available as public records.

Note: Submission must be signed by a duly authorized representative(s) of the respondent, which must be the actual legal entity that will perform the contract if awarded and any total fixed price contained therein will remain firm for a period of one-hundred eighty (180) days following the submission due date and can be further extended by mutual written agreement. **Respondent is REQUIRED to sign this *Signature Page* and return with the submitted response. An unsigned Submission will be deemed non-responsive.**

Legal Name of Entity/Individual Filed with IRS for this Tax ID Number:

Doing Business As (DBA) Name:

Is Respondent business currently a Certified Small Business (SBA), Minority (MBE) or Disadvantaged (DBE)? Yes _____ No _____ If yes, copy of certificate must be attached.

Company Mailing Address and Billing Address (if different from company address):

City, State, Zip Code:

Tax ID Number (EIN):

Contact Person:

Phone Number:

Email Address:

Signature of the person authorized to bind Respondent company to any contract/purchase order that may result from this Solicitation and acknowledgement and acceptance of the full **Solicitation Terms and Conditions located at <https://www.h-gac.com/getmedia/d80790aa-ac7c-466e-9849-9a457210da6e/Solicitation-Terms-and-Conditions>**

Authorized Signature:

Date:

Printed Name:

Title:

Email Address:

All clarifications to this Solicitation will be in writing and identified as a Letter of Clarification. Verbal communications and other written documents intended to clarify and interpret will not legally bind the Houston-Galveston Area Council. Only information supplied by a Letter of Clarification and posted to the H-GAC website should be used in preparing submissions. Any Letter of Clarification will be posted on the H-GAC website (<http://www.h-gac.com/procurement>) as soon as available. **H-GAC does not assume responsibility for the receipt of any Letters of Clarification by Respondent(s). Respondents must frequently check <http://www.h-gac.com/procurement> for updates.**

PART I –GENERAL INFORMATION

Houston-Galveston Area Council (H-GAC) Background

The Houston-Galveston Area Council (H-GAC) is the region-wide voluntary association of 133 local governments and local elected officials in the 13-county Gulf Coast Planning region of Texas. Local elected officials organized H-GAC in 1966 after authorization by State enabling legislation. Its service area is 12,500 square miles and includes more than 7-million residents. H-GAC is governed by a 36-member Board of Directors composed of local elected officials, who serve on the governing bodies of member local governments. All H-GAC programs are carried out under the policy direction of its Board of Directors. H-GAC's mission is to serve as the instrument of local government cooperation, promoting the region's orderly development and the safety and welfare of its residents. H-GAC is the regional organization through which local governments consider issues and cooperate in solving area-wide problems. Agency programs emphasize local government concerns, such as transportation, air and water quality, criminal justice, demographic analysis, mapping programs, and intergovernmental purchasing. H-GAC also serves its citizens through workforce development programs, services to the aging and elderly, and small business finance programs.

Objective/Purpose

H-GAC is seeking construction services from a qualified General Contracting firm to coordinate and oversee construction with the demolition and renovation of interior office spaces of our primary office located at 3555 Timmons Lane, Houston, Texas 77027. Those firms interested in submitting a proposal to provide General Contractor services must respond to this Request for Proposal. H-GAC intends to hire the highest qualified responsive and responsible contractor who provides the best value and meets the needs of H-GAC.

Scheduled Time Frame

H-GAC will negotiate and initiate a contract with the successful proposing firm under this Request to begin no later than January 2, 2023. Work must be substantially completed by July 31, 2023. H-GAC reserves the right to extend and/or expand the scope of this contract, subject to H-GAC Board of Directors approval and/or additional funding availability.

Payment for Work

Submit itemized monthly or by milestone invoices for all services completed, delivered to and accepted by H-GAC, per the Contract requirements. Payments will be made in proportion to the services performed, but not more often than monthly, so that the compensation for services will be at the following cumulative percentages at the completion and acceptance of each phase of the work. H-GAC will require lien releases for all work performed by the contractor and any subcontractors associated with this contract. H-GAC will retain 10% of the total billed on the contract until all work, including punch list items, have been completed and accepted and all lien releases have been secured. H-GAC will not pay more than 10% of this contract on the initial billing for planning/programming work.

No Guarantee of Usage

H-GAC makes no guarantee of volume or usage under any contract resulting from this Solicitation. Services will be requested and contracted on an as needed basis and the type and value of each assignment will vary.

Pre-Award Audit

Due to the amount and type of funding programmed for this project, H-GAC may require that a pre-award audit be conducted before the execution of a contract. The information required for this audit, in addition to a draft contract and detailed scope of work, is:

1. Detailed annual budget
2. 12-month project Schedule/Timeline
3. Itemized cost estimate by personnel job title (including hours), benefits, overhead, travel, equipment, supplies, printing and other direct expenses; and
4. Support data for the benefit and indirect rates (overhead) based on audited costs.
5. Federal OMB Form 60

Post Award Meeting

H-GAC reserves the right to require the awarded Contractor attend a post award meeting with H-GAC staff and/or other designated persons at H-GAC offices in Houston, Texas within thirty (30) calendar days after the award. The purpose of the meeting will be to discuss the terms and conditions and to provide additional information regarding the work tasks and requirements. Awarded Contractor and H-GAC will identify specific goals, strategies and activities planned for meeting program objectives.

PART II – SCOPE OF WORK/SPECIFICATIONS

It is the intention of **H-GAC** to select a Construction Manager at Risk for **services associated with the renovation of its interior offices** via a Request for Fee Proposals as part of a one-step selection process as detailed in section 2269.253 of the Government Code. The Owner plans to utilize the AIA document A133-2019 Standard Form of Agreement Between Owner and Construction Manager as Constructor, *where the basis of the payment is the Cost of Work Plus a Fee with a Guaranteed Maximum Price*, as modified by the Owner and along with AIA document A201-2017 General Conditions of the Contract for Construction as modified by the Owner. The Owner's supplementary conditions to the A133 and A201 will be made available to the selected Construction Manager.

The selected Construction Manager is to assist the Owner and its Architect with cost estimating, cost analysis and budget control efforts, value engineering methods, constructability reviews, detailed phasing of project and scheduling, as part of the pre-construction services.

Base Scope

The general scope and budget are as follows: Renovations to Existing Facilities

1. Location(s): 3555 Timmons Lane Houston, TX 77027
2. Architect(s): Kirksey Architecture
3. The Scope of Work will be determined in mutual cooperation between H-GAC, Architect, and selected Construction Manager.
4. Estimate total square footage of project: 36,879 SF
5. Total Project Construction Budget: \$2.3M
 - a. The construction budget includes all Construction Manager fees, including pre-construction, construction, and general conditions fees. Architect and consultant fees, furniture, fixtures, and equipment (*unless included in contract*) costs, and reimbursable and miscellaneous costs are not considered as a part of the construction budget.
6. Proposed Schedule: Work must begin no later than January 2, 2023 and must be substantially completed by July 31, 2023. However, the schedule will be finalized in mutual cooperation between H-GAC, Architect, and selected Construction Manager.
7. Special schedule considerations are as follows:
 - a. It is intended that the selected Construction Manager will be brought in during the planning process and will work in collaboration with the H-GAC and Architect to develop a reasonable schedule for all projects.

The following narrative outlines the services to be provided to H-GAC in the area of interior renovation services. Working criteria for all construction and/or maintenance activity is listed in **Attachment 5 Contractor Rules and Regulations-Timmons**. H-GAC's normal work hours are 7:00 AM CST through 6:00 PM CST Monday through Friday. Any work that has the potential to disrupt normal business activity must be performed outside normal business hours unless previously approved by the Property Manager.

Information for obtaining Test Fits and Permit Set Documents is listed in Part VI, - Instructions to Respondents, page 12. It is the Respondent's responsibility to include pricing that covers the intent outlined in the documentation.

PRE-CONSTRUCTION SERVICES

1. The Construction Manager will provide the following:
 - a. The Construction Manager will be coming on board during the final stages of planning and design. It is anticipated that the Construction Manager may need to attend final design meetings and other meetings if deemed necessary by the Owner. The Owner, Architect, and Construction Manager will mutually collaborate to develop a thorough overview of the project.
 - b. The Construction Manager must consult with the Owner and Architect regarding site use and improvements, phasing of the various project issues, selection of materials, building systems and equipment.
 - c. The Construction Manager will prepare a preliminary project schedule for the Architect's review and the Owner's approval, the preliminary project schedule must indicate proposed activity sequences and durations, milestone dates for receipt and approval of pertinent information, and submittal of the Guaranteed Maximum Price (GMP) proposal.
 - d. The Construction Manager will prepare a cost estimate with supporting data for review by the Owner and Architect.
 - e. When the construction drawings and specifications are 100 percent complete, the Construction Manager must propose a GMP, which shall be the sum of the estimated Cost of the Work and the Construction Manager's Fee and General Conditions. The GMP must include the pricing of alternates, as applicable.
 - f. The Construction Manager must recommend to the Owner and Architect a schedule for procurement of long lead time items that will constitute part of the Work as required to meet the project schedule.
 - g. After the GMP has been established the Construction Manager must publicly advertise in accordance with Texas Government Code section 2269.255 and otherwise comply with sections 2269.255 and 2269.256 of the Texas Government Code. In soliciting Competitive Sealed Proposals from subcontractors, the Construction Manager must:
 1. Receive at least three (3) proposals from qualified subcontractors and suppliers for each section of the work.
 2. If the Construction Manager is self-performing any work, their proposal must be received by H-GAC's Purchasing Department 24 hours prior to the competitive sealed proposals for the GMP. These proposal(s) must be submitted in a sealed fashion.
 3. Review proposals with Owner and Architect, prior to award of subcontracts.

CONSTRUCTION SERVICES

The General Contractor will be responsible for all methods, means, inspections, certifications, and reports required to demolish and remodel the existing space as required, and to construct new features as designed. This will include but is not limited to:

1. Filing all construction documents and permit applications required of any government agency having jurisdiction over the project, to secure all necessary permits required for construction.
2. Maintaining an accurate record of all construction activities.
3. Providing all related parties with a Comprehensive Construction Schedule prior to the start of construction, with weekly updates and status reports during the entire construction period. Because the building will remain occupied during renovation, the project should be scheduled appropriately to minimize disruption.
4. Work with H-GAC to establish a phasing plan and schedule to accommodate full operations within the agency during construction.
5. Initiate, coordinate, and execute any required inspections of any agency having jurisdiction over the project during the construction period.
6. Conduct a minimum of one Owner/Architect/Contractor meeting each week during the construction period, providing status information on the project.
7. Provide all documentation required related to any change orders, value engineered items, or other adjustments in the scope of the project during the construction period.
8. Secure sub-contractor bids and final contracts consistent with the approved construction budget and provide owner copies of all bids submitted for each sub-contractor in each division.
9. Provide owner copies of all signed contracts with sub-contractors and material suppliers prior to the start of construction.
10. Plan, manage and provide direct supervision related to all construction activities.
11. Secure all required certificates of occupancy and any other required certifications from any governmental agency having jurisdiction over the project, in order to allow owner to occupy the building within the time limits established in the approved construction scheduled.

General Conditions: Fees

Include an itemized cost breakdown of all General Conditions that will be applicable to the project. Include all site costs for the job personnel as well as all reimbursable overhead items. Include all bonds and insurance costs. The total amount must be provided in both percent (%) and dollar amount for each package and will be construed as a “not-to-exceed” amount for each phase. These figures will be used in the evaluation but will be available to discuss during negotiations. General Conditions means onsite management, administrative personnel, insurance, bond, equipment, utilities and incidental work, including minor field labor and materials.

It is anticipated that H-GAC will enter a construction contract for the Work with the Construction Manager at Risk for a fee with a Guaranteed Maximum Price (GMP). All construction fees will be included in the GMP. The fee(s) must be listed in both percent (%) and dollar amounts. (See attached Fee Proposal – Appendix D).

Pre-Construction Services Fee

To include personnel expenses, project estimates, preliminary project schedule, value engineering and constructability reviews, overhead and profit, and other services described below, through the Design and Construction Document Phase of the Project.

Construction Phase Services Fee

To include overhead and profit to administer the project construction, including, but not limited to, the services listed below through the Construction Phase of the Project. The fee quoted will not include direct project management expenses (on-site personnel expenses) or direct project expenses. These items will be included as a part of the general conditions, determined as a part of the Negotiation Phase, and will be included as a part of the GMP. If savings are realized during construction, all funds shall be returned to the Owner.

Contract for Pre-Construction Phase

The selected Construction Manager at Risk will be awarded a contract identifying all fees. Once a GMP is proposed and accepted by H-GAC, the contract will be amended to include and establish the GMP, which will include all pricing and fees to complete the project and any selected alternates. The Owner reserves the right not to proceed with the Construction Phase of any project for which an acceptable GMP cannot be mutually agreed, in which case the contract may be terminated pursuant to its terms.

Bonds, Insurance and Licenses

A bid bond for the project must be provided to ensure that the required performance and payment bonds for 100% of the GMP will be furnished when the GMP for the project is established. A cashier's check, certified check, or acceptable Bid Bond, payable to the Houston-Galveston Area Council in an amount not less than 5% of the maximum Bid price submitted, must accompany each Bid as a guarantee that, if awarded the Contract, the Bidder will enter into a Contract and execute Bonds on the forms provided in the Contract Documents. **A Performance Bond, a separate Labor and Material Payment Bond, and Insurance on AIA form A312 acceptable to Owner will be required of the successful Bidder.**

Payment and performance bonds, along with proof of insurance and workers compensation coverage in the amounts specified in the Construction Documents, must be provided within ten (10) days of project contract awards. In the event an Owner Controlled Insurance Program ("OCIP") is utilized for these packages, appropriate adjustments must be made to all pricing estimates, the GMP and subsequent subcontractor proposals.

Owner/Construction Manager Agreement

The Owner will use, as the core construction contract document with the Construction Manager, AIA document A133-2019 Standard Form of Agreement Between Owner and Construction Manager as Constructor, where the basis of the payment is the Cost of Work Plus a Fee with a Guaranteed Maximum Price and along with AIA document A201-2017 General Conditions of the Contract for Construction as modified by the Owner. These contracts will be modified/amended by the Owner's legal counsel and provided prior to submission of Proposals. Any changes, modifications, or exceptions must be specifically noted, in writing, as a part of the proposal. Fee structures will be negotiated and contained as a part of the final agreement. As a part of your proposal indicate that, if selected, you will execute this contract, noting specific and detailed exceptions, in writing, as a part of the proposal. All requests for modifications will be through mutual agreement of the Owner and Construction Manager. In the event that an agreement cannot be reached, the Owner will terminate negotiations and begin negotiations with the next ranked firm that provides the best value to the Owner.

PART III –SUBMISSION CONTENTS

Submissions must include the information described below. Staff resumes, and any additional forms, can be included as an appendix to the submittal and do not count towards any section page limits noted below.

A. Summary Letter

This letter must include a summary of key aspects of the contractor's qualifications and must indicate the Respondent's commitment to provide the services proposed and certify that all statements and information prepared and submitted in the response to this Solicitation are current, complete, and accurate; and that the proposed solution for the project meets all the requirements of this Solicitation. (Maximum 1 page)

B. Signature Page all Forms as Listed on last page of this Solicitation

Submit completed and signed Signature Page (located on page 2) and all required/applicable forms of the checklist provided on the last page of this solicitation. Submission will be deemed non-responsive and will not be considered for evaluation if the submission is not signed.

C. Responsibility and Qualifications

Submit completed A305 Contractor Qualifications Statement with Exhibits A-E (Attachment 1), this form must be completed in full and submitted with response.

D. Methodology Questionnaire

Submit completed Methodology Questionnaire (Attachment 2), this form must be completed in full and submitted with response.

E. Proposed Fees and Schedule of Values

Submit completed Fee Proposal (Attachment 3) and Estimated Proposed Schedule of Values Form (Attachment 4), this form must be completed in full and submitted with response.

F. Contractors Rules and Regulations

Submit the Contractors Rules and Regulations Acknowledgment Document (Attachment 5), this form must be signed and submitted with response.

G. Readiness and Capacity to Perform

Provide satisfactory evidence of ability to manage and coordinate the types of activities described in this Solicitation and to produce the specified products or services on time. Provide a statement about the availability and commitment of the firm and its principal(s) and key professionals to undertake the project.

H. Additional Information

Submit additional information Respondent deems pertinent to demonstrating qualifications and/or experience to perform the services being requested such as memberships in any professional associations, documents, examples, and others.

PART IV – EVALUATION, SELECTION AND AWARD

Evaluation

An evaluation committee may consist of representatives from H-GAC and other stakeholders. The committee members will individually evaluate and numerically score each submission in accordance with the evaluation criteria section of this Solicitation.

Selection/Award Recommendation

Each criterion is given a weight and the weights will total 100%, submissions are scored on a scale of 0-5 and are then ranked on the total of the weighted score. Upon review of all information provided by Respondents, the evaluation committee will rank each submission. H-GAC intends to select the submission(s) that best meets the needs of H-GAC, and other stakeholders to be determined. THIS IS A NEGOTIATED PROCUREMENT. As such, award will not necessarily be made to the Construction Manager submitting the lowest fee/cost Proposal. H-GAC, in its sole discretion, accept the Proposal it deems to be in its best interest.

Approval and Final Award

A recommendation will be presented to the H-GAC Board of Directors for approval to negotiate, and execute, a contract with the ranked Contractors in descending order. H-GAC reserves the right to award based on the best interests of H-GAC, whether that be single or multiple awards. However, the final approval and selection of award lies with the Board of Directors. H-GAC reserves the right to delay that date as needed and to reject any and all submissions as deemed in its interest.

Debriefing

Requests for a debriefing must be made in writing to purchasing@h-gac.com within five (5) working days after notification of non-selection. H-GAC reserves the right to not conduct debriefings if requests are made after that time. This procedure is NOT available to Respondents who did not participate in the selected Solicitation, to non-responsive or non-timely Respondents, or when all submissions are rejected.

Presentation/Demonstration/Interview

The evaluation committee reserves the right to request and require that each Respondent provide a final presentation/demonstration/interview regarding submission at a scheduled date and time. No Respondent is entitled to this opportunity, and no Respondent will be entitled to attend the presentation/demonstration/interview of any other Respondent. The purpose of the presentation/demonstration/interview is to inform the work of the evaluation committee. If necessary, Respondents may be required to make more than one presentation/demonstration/interview. Interviews can incorporate clarifying questions of the evaluation committee and H-GAC reserves the right to utilize the information to complete final scoring of proposals after the presentation/demonstration/interview. During this process, the proposer cannot incorporate, or present new information not contained in the original submitted proposal.

Best and Final Offer (BAFO)

H-GAC reserves the right to request a Best and Final Offer from finalist Respondent(s), if it deems such an approach necessary. In general, BAFO would consist of updated costs and answers to specific questions that were identified during the evaluation. If H-GAC chooses to invoke this option, Submissions would be re-evaluated by incorporating the information requested in the BAFO document, including costs, and answers to specific questions presented in the document. The specific format for the BAFO would be determined during evaluation discussions. Turnaround time for responding to a BAFO is usually brief (i.e., five (5) business days).

PART V – EVALUATION CRITERIA

Responsiveness (Pass/Fail)

Submission must be responsive to all material requirements that will enable the evaluation committee to evaluate submissions in accordance with the evaluation criteria to make a recommendation to H-GAC officials. This includes a signed signature page by a person authorized to bind the company to any contract/purchase order that may result from this Solicitation; and if subcontracting, may include the completed Small and Minority Business Affirmation Form.

Qualifications and Experience (30%)

Acceptable overall qualifications of company as demonstrated in detailed narrative and qualifications statement. Demonstrated experience and effectiveness in providing like services for organizations. Demonstrated capability to provide the services outlined in the Solicitation; Minimum adequate references are submitted and required information is provided; relative licenses or registrations are provided, if applicable. A305-2020 Contractors Qualification Statement with Exhibits A-E (Attachment 1).

Fee Proposal (30%)

Fees are reasonable and a detailed fee proposal is included, with regards to proposed methodology and approach, and is inclusive of all costs. (Attachment 3) Fee Proposal.

Methodology (20%)

Methodology Questionnaire (Attachment 2) demonstrates clear understanding of the project requirements listed in this solicitation.

Capacity and Readiness (20%)

Satisfactory evidence of respondent ability to manage and coordinate the types of activities described in this Solicitation and to produce the specified products or services on time. Evidence is provided of the availability and commitment of the firm and its principal(s) and key professionals to undertake the project.

PART VI – INSTRUCTIONS TO RESPONDENTS

Site-Visit

A ***Non-Mandatory Site Visit*** for all proposers will be held at 3555 Timmons Lane, Houston, TX 77027, suite 100 on Friday, October 28, 2022 at 10:00 AM, local time. Prospective Proposers are encouraged to attend.

It will be assumed that Respondents attending the site visit have reviewed the Solicitation in detail and are prepared to raise any substantive questions which have not already been addressed by H-GAC in this Solicitation.

Test Fit Plans and Permit Set Documents

Respondent must email the below information (1-4) to purchasing@h-gac.com to request an access invitation link to the ShareFile system where the Respondent can download a copy of the test fits and permit set (the actual plans will be ready before construction begins). **This will also be the same folder you upload your Response.**

1. Company Name and Company Representative Name
2. Representative Email Address (for ShareFile folder access)
3. Subject Line: "ShareFile Folder Access Request enter solicitation number"

Inquiries and Additional Information

Respondents must submit questions by e-mail to Purchasing@h-gac.com by the Questions deadline, any questions received after the deadline will not be answered. Telephone inquiries will not be accepted. H-GAC will respond as completely as possible to each question. Questions and answers will be posted on the H-GAC website (<http://www.h-gac.com/procurement>) as soon as available. The names of respondents who submit questions will not be disclosed.

Letter(s) of Clarification

All clarifications to this Solicitation will be in writing and identified as a Letter of Clarification. Verbal communications and other written documents intended to clarify and interpret will not legally bind H-GAC. Only information supplied by a Letter of Clarification posted at <http://www.h-gac.com/procurement> should be used in preparing a response. **H-GAC does not assume responsibility for the receipt of any Letters of Clarification by Respondent(s). Respondents must periodically check the website for updates.**

Examination of Documents and Requirements

Each Respondent must carefully examine all Solicitation documents and become thoroughly familiar with all requirements prior to submission to ensure the response meets the intent of this Solicitation. Respondent is responsible for making all investigations and examinations that are necessary to ascertain conditions affecting the requirements of this Solicitation. Failure to make such investigations and examinations will not relieve the Respondent from obligation to comply, in every detail, with all provisions and requirements of the Solicitation.

Modification of Submission (Before Deadline)

Respondents may modify submissions that have already been submitted by providing a written modification to H-GAC. However, no submissions may be modified after the deadline.

Non-Responders to Solicitation

If unable to submit a response, please email Purchasing@h-gac.com and advise the reason.

Resolution of Protested Solicitations and Awards

Any Respondent who is aggrieved in connection with a purchase transaction may file a grievance. The grievance may be filed at any phase of the procurement, and up to five (5) days after the H-GAC Board of Directors public agenda is posted for action regarding the questioned item. Grievances filed more than five (5) working days after action by the H-GAC Board of Directors will not be deemed timely and will not be considered. In order for a Respondent to enter the grievance process, a written complaint must be sent to the Deputy Assistant Director of H-GAC by certified mail and sent to 3555 Timmons Lane, Houston, Texas 77027, which includes the following:

1. Name, mailing address and business phone number of the complainant.
2. Appropriate identification of the procurement being questioned.
3. A precise statement of the reasons for the protest.
4. Supporting exhibits, evidence, or documents to substantiate any claims.

The grievance must be based on an alleged violation of H-GAC's Procurement Procedures, a violation of State or Federal Law (if applicable), or a violation of applicable grant or contract agreements to which H-GAC is a party. Failure to receive a procurement award from H-GAC in and of itself does not constitute a valid grievance. Upon receipt of grievance, the Deputy Executive Director will initiate the informal resolution process.

The Procurement and Contracts Department will contact the complainant and all interested parties and attempt to resolve the allegations informally within ten (10) working days from the date of complaint. If the allegations are successfully resolved by mutual agreement, documentation will be forwarded to the Deputy Executive Director of the resolution with specifics on each point addressed in the original complaint.

If the Procurement and Contracts Department is not successful in resolving the allegations, the complaint, along with the comments, will be forwarded to the Deputy Executive Director immediately. The Deputy Executive Director will review all documentation. All interested parties will be given written notice of the date, time, and place of hearing and an opportunity to present evidence. A written decision will be issued within five (5) working days after the hearing along with notice of appeal rights.

The complainant may appeal the Deputy Executive Director's decision by submitting a written appeal, within five (5) working days, to the Executive Director of H-GAC. The Executive Director, upon receipt of a written notice of appeal, will contact the complainant and schedule a hearing within ten (10) working days. The Executive Director of H-GAC has the option of appointing a Hearing Officer to preside over the hearing. If appointed, the Hearing Officer will conduct a hearing and forward a summary and recommended resolution to the Executive Director.

The decision reached by the Executive Director or his designee will be final and conclusive. This decision will be forwarded to the complainant in writing within thirty (30) working days.

The Respondent may, if it elects to do so, appeal the final and conclusive decision of the Executive Director to a court of competent jurisdiction.

Resolution of Protested Solicitations and Awards for Workforce Solicitations

Following the final decision by the H-GAC Board of Directors, a respondent may file a protest with the Texas Workforce Commission. The Commission reviews protests only after H-GAC's process has been exhausted. Protests filed with the Commission are limited to the following issues: (a) violation of federal law and regulation, and/or (b) violation of protest procedures or failure to review a protest. To file a protest on this level, write to Workforce Quality Assurance Manager, Houston-Galveston Area Council, Post Office Box 22777, Houston, Texas, 77227-2777, 713-627-3200.

PART VII – REQUIRED FORMS TO SUBMIT WITH RESPONSE

	Signed Signature Page (located on Page 2)
	Attachment 1: A305-2020 Contractors Qualification Statement with Exhibits A-E
	Attachment 2: Methodology Questionnaire
	Attachment 3: Fee Proposal
	Attachment 4: Estimated Proposed Schedule of Values Form
	Attachment 5: Contractor Rules and Regulation Acknowledgement

PART VIII - REQUIRED FORMS IF AWARDED A CONTRACT

	Certification Regarding Debarment, Suspension, and Ineligibility
	(External Form) Conflict of Interest Form CIQ (if a conflict exists) (refer to link Part VII, DD)
	(External Form) Certificate of Interested Parties – Form 1295 (refer to link Part VII, DD)
	Certification Regarding Lobbying
	Copy of W-9

Download Forms: <https://www.h-gac.com/procurement>

PART IX – SOLICITATION TERMS AND CONDITIONS

By submitting a response to this Solicitation, respondent agrees that it has read and fully intends to comply with the terms and conditions of this solicitation as applicable to any subsequent contract or funding agency requirements or agreements. Exceptions to these Terms and Conditions are not permitted. Please view the full Terms and Conditions located here: <https://www.h-gac.com/getmedia/d80790aa-ac7c-466e-9849-9a457210da6e/Solicitation-Terms-and-Conditions>