REQUEST FOR COMPETITIVE SEALED PROPOSALS FOR
JOB ORDER CONTRACTING (JOC) SERVICES
for
Minor Construction, Repair, Rehabilitation,
and/or Alteration Projects

The University of Texas Medical Branch at Galveston
Job Order Contracting (JOC)
Services RFP No. 20-006

Proposal & HUB Response Due Date: Thursday, May 7, 2020
*Must Include Letter of HUB Commitment
and Self-Performing HUB Plan

Prepared By:
Shanna Watts, Sr. Acquisition Specialist
On this day
April 2, 2020

UTMB Health
1302 Mechanic, Suite 3.106
Galveston, Texas 77555
Tel: 409.772.9435
Email: shwatts@utmb.edu
Response to this Request for Competitive Sealed Proposals requires the Respondent to submit a Letter of HUB Commitment *(Attachment 8)* as well as a Self-Performing HUB Plan *(Attachment 8a)* to this RFP. This is in response to the UTMB HUB Subcontracting Plan (HSP) requirement detailed in Subsection 1.15 “Historically Underutilized Businesses” of this RFP. Failure to submit the Letter of HUB Commitment in accordance with Subsection 1.15 will result in your Proposal being disqualified.

If you have any questions or need assistance please contact UTMB’s Manager of Supplier Diversity Programs/HUB Program Coordinator Karen Gross at (409) 266-1094, (409) 747-8000 or klgross@utmb.edu
# TABLE OF CONTENTS

## Section 1 - General Information and Requirements

1.1 General Information  
1.2 Scope of Work  
1.3 Type of Contract  
1.4 Maximum Contract Sum  
1.5 No Minimum Amount of Work  
1.6 Submittal Deadline  
1.7 Public Information  
1.8 Clarifications and Interpretations  
1.9 Submission of Proposals  
1.10 Proposal Checklist  
1.11 Point of Contact  
1.12 Owner’s Reservation of Rights  
1.13 No Reimbursement for Costs  
1.14 Eligible Respondents  
1.15 Historically Underutilized Businesses (HUBs)  
1.16 Certain proposal and Contract Prohibited  
1.17 Sales and Use Tax  
1.18 Certificate of Franchise Tax  
1.19 Required Notices of Workers’ Compensation Insurance Coverage  
1.20 Prevailing Wage Rate Determination  
1.21 Delinquency in Paying Child Support  
1.22 Bond Requirements  
1.23 Texas Ethics Commission Form 1295, Certificate of Interested Parties

## Section 2 - Evaluation Criteria and Technical Proposal Requirements

2.1 Respondent’s Technical Proposal  
2.2 Evaluation of Proposals  
2.3 Evaluation Criteria  
2.4 Acceptance of Evaluation Methodology

## Section 3 - Format of Proposals

3.1 Technical Proposal Format  
3.2 Electronic Copy  
3.3 Table of Contents  
3.4 Pagination
## Attachments and Exhibits

The following documents are hereto attached and made a part of this RFP.

<table>
<thead>
<tr>
<th>Attachment No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Company Overview</td>
</tr>
<tr>
<td>2</td>
<td>Key Personnel &amp; Reference Sheet</td>
</tr>
<tr>
<td>3</td>
<td>Sample Job Order Contracting (JOC) Agreement</td>
</tr>
<tr>
<td>4</td>
<td>Security Clearance Requirements</td>
</tr>
<tr>
<td></td>
<td>Exhibit A Security Clearance Contractor’s Certification</td>
</tr>
<tr>
<td></td>
<td>Exhibit B Security Clearance General Information</td>
</tr>
<tr>
<td>5</td>
<td>Execution of Offer</td>
</tr>
<tr>
<td>6</td>
<td>Environmental Sustainability Questionnaire</td>
</tr>
<tr>
<td>7</td>
<td>Pricing and Delivery Proposal Form</td>
</tr>
<tr>
<td>8</td>
<td>Letter of HUB Commitment</td>
</tr>
<tr>
<td>8a</td>
<td>Self-Performing HUB Plan</td>
</tr>
<tr>
<td>A</td>
<td>NOT USED</td>
</tr>
<tr>
<td>B</td>
<td>Uniform General</td>
</tr>
<tr>
<td>C</td>
<td>Special Conditions</td>
</tr>
<tr>
<td></td>
<td>Appendix A Prevailing Wage Guidelines</td>
</tr>
<tr>
<td></td>
<td>Appendix B Worker Classification Definition Sheet</td>
</tr>
<tr>
<td></td>
<td>Appendix C Weather Data</td>
</tr>
<tr>
<td>D</td>
<td>Performance Bond</td>
</tr>
<tr>
<td>E</td>
<td>Payment Bond</td>
</tr>
<tr>
<td>F</td>
<td>UTMB Building List</td>
</tr>
<tr>
<td>G</td>
<td>Certification of Franchise Tax Payment</td>
</tr>
<tr>
<td>H</td>
<td>Policy on Utilization of Historical Underutilized Business (HUB)</td>
</tr>
</tbody>
</table>
REQUEST FOR COMPETITIVE SEALED PROPOSALS
The University of Texas Medical Branch at Galveston
JOB ORDER CONTRACTING (JOC) SERVICES
RFP No. 20-006

SECTION 1 – GENERAL INFORMATION AND REQUIREMENTS

1.1 GENERAL INFORMATION: The University of Texas System and The University of Texas Medical Branch at Galveston (“Owner” / “UTMB”) are soliciting Competitive Sealed Proposals (“Proposals”) for selection of a General Contractor firm for Job Ordering Contractor (JOC Services) for Minor Construction, Repair, and/or Alteration Projects (“Project”), to be performed on a non-exclusive, indefinite quantity basis, as requested by UTMB in accordance with the terms, conditions, and requirements set forth in this Request for Competitive Sealed Proposals.

1.1.1 UTMB intends to select (2) Contractors, a primary and a secondary, which will provide JOC services to all UTMB locations, to be used at the sole discretion of UTMB in accordance with the requirements of this RFP, and its attachments and exhibits. This Request for Competitive Sealed Proposals (“RFP”) is the first step for selecting a General Contractor(s) for the Project as provided by Texas Education Code §51.783(d). UTMB may choose to meet with potential contractors through a second step, interview process. Respondents are advised that the successful Respondent(s) may be invited to participate in an interview process prior to award decision. The RFP provides the information necessary to prepare and submit Competitive Sealed Proposals for consideration and ranking by the Owner.

1.1.2 The Owner may select the Proposal that offers the “best value” for the institution based on the published selection criteria stated in Section 2 and on its ranking evaluation. The Owner may first attempt to negotiate a contract with the selected offeror(s). If the Owner is unable to reach a contract with the selected offeror(s), the Owner may formally end negotiations with the offeror(s) and proceed to the next “best value” offeror in the order of the selection ranking until a contract is reached or all proposals are rejected.

1.1.3 Responding Contractor represents that he has the knowledge, ability, skills, resources and experience in Job Order Contracting (JOC) to provide such services in accordance with the terms and requirements of this RFP and in all the following categories; Healthcare, Academic, Research and Business.

1.1.4 THIS RFP IS A SOLICITATION FOR PROPOSAL AND IS NOT A CONTRACT OR AN OFFER TO CONTRACT.

1.2 SCOPE OF WORK

Services furnished by Contractor(s) as a result of this RFP are anticipated to include, but not limited to, projects up to $300,000 in value as identified by UTMB. UTMB reserves the right to utilize the resulting Agreement for projects over $300,000. Job Orders under this Agreement may be assigned for work on the main campus or at offsite locations, including those on the mainland or any locations listed as an attachment in this RFP. (Ref. Exhibit F, Building List). All work awarded under this RFP shall be performed in accordance with Sample Job Order Contracting (JOC) Agreement (Ref. Attachment No.3) and its referenced attachments.
1.3 **TYPE OF CONTRACT**

Any contract resulting from this solicitation will be in the form of the Sample Job Order Contracting (JOC) Agreement.

1.3.1 **INITIAL TERM:** The initial term of Agreement(s) shall begin immediately upon “effective date” and shall expire two (2) years after that date unless renewed or terminated in accordance with the terms of Agreement.

1.3.2 **RENEWAL OPTION:** UTMB has the option to renew the term of Agreement for three (3), one (1) year periods, upon written notice to the Contractor at least sixty (60) days prior to the expiration of the initial or any subsequent term.

1.4 **MAXIMUM CONTRACT SUM**

1.4.1 **MAXIMUM CONTRACT SUM – Primary JOC Contractor**

The overall maximum value of the resulting Agreement for the awarded, Primary JOC Contractor will be Thirty Seven Million, Five Hundred Dollars ($37,500,000) spread out over the life of the contract (initial term and any subsequent renewals or extensions). This dollar value is based on forecasted volume of JOC work in the next five (5) years.

1.4.2 **MAXIMUM CONTRACT SUM – Secondary JOC Contractor**

The overall maximum value of the resulting Agreement for the awarded, Secondary JOC Contractor will be Two Million, Five Hundred Dollars ($2,500,000) spread out over the life of the contract (initial term and any subsequent renewals or extensions). This dollar value is based on forecasted volume of JOC work in the next five (5) years.

1.4.3 **TOTAL BILLINGS** - Total billings for authorized work performed by awarded respondent(s) shall not exceed this maximum contract sum. The maximum contract sum shall not be increased except by written amendment to the Agreement, executed by Owner and Contractor and may be subject to the review and approval of the University of Texas System board of Regents.

1.5 **NO MINIMUM AMOUNT OF WORK**

It is expressly understood that the UTMB is under no obligation to request any services from Contractor(s) and no minimum amount of work is required under the resulting Agreement from this RFP. All job order requests will be made by UTMB on an as-needed basis, subject to future agreement on the statement of the work and its cost. The selected, Primary JOC Contractor will always be contacted first with job order requests. UTMB may, at its sole discretion, decide the utilization of the selected Secondary JOC Contractor.

1.6 **SUBMITTAL DEADLINE**

1.6.1 Owner will accept proposals until Thursday, May 7, 2020 at 3:00 PM CST, Galveston, Texas. Said proposals shall be submitted to Owner in accordance with the submittal instructions specified in Subsection 1.9.

1.6.2 The **Letter of HUB Commitment and Self-Performing HUB Plan** must be submitted as a part of the proposal, and shall be accepted until Thursday, May 7th, 2020 at 3:00 PM CST. Failure to submit the Letter of HUB Commitment and Self-Performing HUB Plan will result in the disqualification of the submitted proposal. (Ref. Subsection 1.15 and Attachment 8 & 8a)
1.6.3 **PRE-PROPOSAL CONFERENCE:** All Respondents interested in submitting a proposal are **strongly encouraged** to attend the online, Skype, Pre-Proposal Conference to be held **Thursday, April 9, 2020 at 10:00AM, CST.***Please follow the “Skype Meeting Instructions” provided in the Notification to bidders’ email.

1.7 **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 the solicitation is completed.

1.7.1 The Owner strictly complies with all statutes, court decisions, and opinions of the Texas Attorney General with respect to disclosure of RFP information.

1.8 **CLARIFICATIONS AND INTERPRETATIONS**

Any clarifications or interpretations of this RFP that materially affect or change its requirements will be issued by the Owner as an Addendum. 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 as part of the RFP, and respondents shall acknowledge receipt of each Addendum to the RFP and/or the RFP Documents in its Proposal.

1.8.1 **A NOTICE OF ADDENDUM MAY BE ISSUED BY THE POINT-OF-CONTACT FOR THIS RFP VIA EMAIL TO THE ATTENDEES OF THE PRE-PROPOSAL MEETING. THE ADDENDUM NARRATIVE WILL BE POSTED TO THE UTMB WEB SITE AT:** [https://www.utmb.edu/supplychain/purchasing/bidops.asp](https://www.utmb.edu/supplychain/purchasing/bidops.asp)

1.8.2 No oral explanation in regard to the meaning of the RFP Documents will be made and no oral instructions will be given before the award of the Contract. Any Discrepancies, omissions or doubts as to the meaning of the Descriptions, Instructions or Specifications shall be communicated in writing to the Purchasing Point of Contact as specified in **Subsection 1.11.** Any interpretation made will be in the form of an Addendum and its receipt by the respondent shall be acknowledged on the Pricing and Delivery Proposal Form (Ref. Attachment No.7).

1.8.3 Respondents shall consider only those clarifications and interpretations to the Descriptions, Instructions or Specifications issued by Addendum. 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 Proposals.

1.9 **SUBMISSION OF PROPOSALS**

1.9.1 Respondents should carefully read the information contained herein and submit a complete response to all requirements as directed.

1.9.2 Proposals which are qualified with conditional clauses, alterations, items not called for in the RFP documents, or irregularities of any kind are subject to disqualification by Owner at its option.

1.9.3 No proposal may be changed, amended, or modified, after the same has been submitted or filed in response to this notice, except for obvious errors in extension. However, a proposal may be withdrawn and resubmitted any time prior to the time set for receipt of proposals.
1.9.4 No proposal may be withdrawn after the proposal opening, for a period of ninety days subsequent to the opening date, without approval by Owner which shall be based on Respondent's submittal, in writing, of a reason acceptable to Owner.

1.9.5 Respondents wishing to submit a "No-Proposal" are requested to return Attachment No. 7 Pricing and Delivery Proposal Form and indicate respondent's name including "No-Proposal".

1.9.6 Failure to comply with the requirements contained in this Request for Proposal may result in the rejection of the proposal. Repeated failure to respond completely to proposal requirements may result in removal from the Owner's Notification List.

1.9.7 **NUMBER OF COPIES**

1.9.7.1 Submit one (1) complete response in accordance with Section 3 below.

1.9.7.2 One (1) complete and signed Letter of Hub Commitment is required and is a part of this RFP *(Attachment No.8, Letter of Hub Commitment)*.

1.9.7.3 One (1) complete and signed Self-Performing HUB plan is required and is part of this RFP *(Attachment No. 8a, Self-Performing HUB Plan)*.

1.9.8 **SUBMISSION**

1.9.8.1 The above specified number of responses must be submitted and received on or before the time and date specified in Subsection 1.6 and delivered to the email address stated in 1.9.8.2.

1.9.8.2 **UTMB will only accept submittals be made via email at the address below.**

**E-MAIL:** Vendor.bids@utmb.edu

**NOTE:** Do not use the Point of Contact’s email address.

**INSTRUCTIONS FOR E-MAIL RESPONSES:**

- E-mail confirmations from UTMB for this solicitation are courtesy only.
- Respondent is responsible for verifying receipt of e-mail by UTMB.
- Submittal must be signed and in an Adobe Acrobat (.pdf) format. Zip files are acceptable.
- Any e-mail response over ten megabytes (10MB) in size will be rejected.
- UTMB is not responsible for internet outages or other circumstances that may affect Respondent’s electronic submission.
- To confirm receipt of emailed proposals, contact Shanna Watts at 409.772.9435 or email at shwatts@utmb.edu.

- **NOTE: Show the RFP number and submittal date in the subject line of your e-mail. Please specify “Letter of HUB Commitment and Self-Performing HUB Plan” on submittals for HUB compliance if submitting in a separate email.**
1.9.8.3 **OFFICIAL TIME CLOCK**

- The official time clock for emailed responses shall be the date and time on the email received by UTMB in the vendor.bids email mailbox.
- Late responses properly identified will be returned to Respondent unopened. Late responses will not be considered under any circumstances.
- **The Letter of HUB Commitment and the Self-Performing HUB Plan shall be submitted with the proposal, same deadline.** (Ref. Subsection 1.15 and Attachment 8 & 8a of this RFP)

1.9.8.4 Properly submitted Proposals, Letters of HUB Commitment, Self-Performing HUB Plans, or any related documents will not be returned to the respondents.

1.9.8.5 Telephone and Facsimile (“FAX”) submittals are NOT acceptable when in response to this Request for Proposal.

1.9.8.6 Responses shall be submitted on the RFP forms, unless otherwise permitted herein. Names of firms or joint ventures submitting proposals shall be the same on both proposal form and proposal bond and subsequently on performance and payment bonds submitted by the successful Respondent.

1.9.8.7 RFP Submittal documents must be signed by Respondent's company official(s) authorized to commit such proposals. Failure to sign the required documents, together with all required copies of your proposal may be a basis for proposal disqualification.

1.9.8.8 Attachment 5 - Execution of Offer must be signed and returned with Qualifications.

1.9.8.9 By signing the Execution of Offer and submitting a proposal, Respondent certifies that any attached or referenced terms, conditions, or documents are applicable to this procurement only to the extent that they do not conflict with the statutes or Administrative Code of the State of Texas, or the advertised terms and conditions, and that they do not impose additional requirements on UTMB. Respondent further certifies that the submission of a proposal is Respondent's good faith intent to contract with UTMB as specified herein and that such intent to contract is not contingent upon UTMB's acceptance or execution of any such attached or referenced terms, conditions, or other documents.

1.9.8.10 In lieu of a Public Opening, results will be made available upon email request at 3:15 PM. Please send an email to shwatts@utmb.edu requesting the results. Final award shall be subject to the review and acceptance of a HUB Subcontracting Plan and Evaluation of Responses.

### 1.10 PROPOSAL CHECKLIST

The following are to be submitted with Respondent’s Proposal. Failure to include these documents may result in disqualification of your proposal:

- Respondent’s Technical Proposal
- Letter of Bonding capacity (*Ref. Attachment 1 Company Overview*)
- Safety Program: (*Ref. Attachment 1 Company Overview*)
- Insurance Acknowledgement (*Ref. Attachment 1 Company Overview*)
• Signed Coefficient Proposal Form (Ref. Attachment 7)
• Signed Execution of Offer (Ref. Attachment 5)
• Environmental Sustainability Questionnaire (Ref. Attachment 6)
• The Letter of HUB Commitment and Self-Performing HUB Plan (Ref. Section 1.15 and Attachment No.8 & 8a), shall be submitted with the proposal receipt deadline.
• Other applicable submittals required in this RFP

1.11 POINT-OF-CONTACT

The Owner designates the following person(s), as its representative(s) and/or Point-of-Contact for this RFP. Respondents shall restrict all contact with the Owner and direct all questions regarding this RFP, including questions regarding terms and conditions, to the Point-of-Contact person.

Questions must be submitted in writing via e-mail to:

Shanna Watts, CTPM, Sr. Acquisition Specialist
shwatts@utmb.edu

Chuck Anderson, Program Director
canderso@utmb.edu

The last day to submit questions shall be Wednesday, April 15, 2020 at 3:00PM, CST.

1.12 OWNER’S RESERVATION OF RIGHTS: The Owner may evaluate the Proposals based on the anticipated completion of all or any portion of the Project. The Owner reserves the right to divide the Project into multiple parts, to reject any and all Proposals and re-solicit for new Proposals, or to reject any and all Proposals and temporarily or permanently abandon the Project. Owner makes no representations, written or oral, that it will enter into any form of agreement with any respondent to this RFP for any project and no such representation is intended or should be construed by the issuance of this RFP. Owner reserves the right to waive any formalities or minor technical inconsistencies, or delete any item/requirement from this RFP.

1.13 NO REIMBURSEMENT FOR COSTS: Respondent acknowledges and accepts that any costs incurred from the Respondent’s participation in this RFP process shall be at the sole risk and responsibility of the Respondent. Respondents submit Proposals at their own risk and expense.

1.14 ELIGIBLE RESPONDENTS: Only individual firms or lawfully formed business organizations may apply. (This does not preclude a respondent from using consultants.) The Owner will contract only with the individual firm or formal organization that submits a Proposal.

1.15 HISTORICALLY UNDERUTILIZED BUSINESSES (HUBS)

1.15.1 UTMB encourages and supports the participation of Historically Underutilized Businesses (HUBs) in responding to this RFP.

1.15.2 In accordance with Texas Government Code 2161, each state agency, including UTMB, is required to make a good faith effort to assist HUBs in competing for, and receiving, contracts awarded by the agency.

1.15.3 Respondent shall submit, with its Qualifications, the attached letter (Ref. Attachment No. 8, Letter of HUB Commitment and Attachment No. 8a, Self-Performing HUB Plan), without modification to existing language, on the Respondent’s letterhead, ensuring that if awarded an Agreement for JOC Services, the Respondent will complete a Hub Subcontracting Plan (HSP) for each project which may exceed $85,000, assigned to the Respondent by UTMB in accordance with the requirements of this Agreement.
1.15.4 Respondent must complete and submit the Letter of HUB Commitment and Self-Performing HUB Plan as part of its Proposal. Failure to do so will result in the Proposal being disqualified.

1.15.5 Contact Karen Gross, UTMB Manager of Supplier Diversity Programs/HUB Program Coordinator at 409.266.1094 or email at klgross@utmb.edu.

1.16 **Certain Proposals and Contracts Prohibited:** Under Section 2155.004, Texas Government Code, a state agency may not accept a proposal or award a contract that includes proposed financial participation by a person who received compensation from the agency to participate in preparing the specifications or request for proposals on which the proposal or contract is based. All vendors must certify their eligibility by acknowledging the following statement, "Under Section 2155.004, Government Code, the vendor certifies that the individual or business entity named in this bid or contract is not ineligible to receive the specified contract and acknowledges that this contract may be terminated and payment withheld if this certification is inaccurate." If a state agency determines that an individual or business entity holding a state contract was ineligible to have the contract accepted or awarded as described above, the state agency may immediately terminate the contract without further obligation to the vendor. This section does not create a cause of action to contest a proposal or award of a state contract.

1.17 **Sales and Use Taxes:** Section 151.311, Tax Code, as amended effective October 1, 1993, permits the purchase free of state sales and use taxes of tangible personal property to be incorporated into realty in the performance of a contract for an improvement to realty for certain exempt entities that include The University of Texas System. The section further permits the purchase tax-free of tangible personal property (other than machinery or equipment and its accessories and repair and replacement parts) for use in the performance of such a contract if the property is "necessary and essential for the performance of the contract" and "completely consumed at the job site." In addition, the section permits the purchase tax-free of a tangible service for use in the performance of such a contract if the service is performed at the job site and if "the contract expressly requires the specific service to be provided or purchased by the person performing the contract" or "the service is integral to the performance of the contract."

1.18 **Certification of Franchise Tax Status:** Respondents are advised that the successful respondent will be required to submit certification of franchise tax status as required by State Law (H.B. 175, Acts 70th Leg. R.S., 1987, Ch. 283, p. 3242). The Respondent further agrees that each subcontractor and supplier under contract will also provide a certification of franchise tax status.

1.19 **Required Notices of Workers’ Compensation Insurance Coverage:** The Texas Workers' Compensation Commission has adopted a new rule, 28 TAC, sec. 110.110, relating to REPORTING REQUIREMENTS FOR BUILDING OR CONSTRUCTION PROJECTS FOR GOVERNMENTAL ENTITIES. The rule applies to all building or construction contracts advertised for bid on or after September 1, 1994. The rule implements sec. 406.096, Texas Labor Code, which requires workers' compensation insurance coverage for all persons providing services on a building or construction project for a governmental entity. The requirements of the rule are set forth in Article 5 of the Uniform General Conditions for UT System Building Construction Projects (Ref. Exhibit B), entitled “Bonds and Insurance”.

1.20 **Prevailing Minimum Wage Rate Determination:** Respondents are advised that the Texas Prevailing Wage Law will be administered in accordance with the policies and procedures set forth in Appendix A to Exhibit C Special Conditions, entitled "Prevailing Wage Guidelines." The penalty for violation of prevailing wage rates has been increased from $10.00 per underpaid worker per day or portion thereof to $60.00.
1.21 **DELINQUENCY IN PAYING CHILD SUPPORT:** Section 14.52, Texas Family Code, provides that a child support obligor who is thirty (30) or more days delinquent in paying child support under a court order or a written repayment agreement is not eligible to submit a proposal or enter into a contract to provide property, materials, or services under a contract with the State. Further, it provides that a sole proprietorship, partnership, corporation, or other entity in which a sole proprietor, partner, major shareholder or substantial owner is such a delinquent obligor is ineligible to submit a proposal on a state contract. The Attorney General and the General Services Commission are authorized to adopt rules and prescribe forms to implement Section 14.52. The Owner will provide to Respondents, before or after the opening of proposals, any such rules or forms that are applicable, when they become available.

1.22 **BOND REQUIREMENTS:** The successful Respondent will be required to provide performance and payment bonds upon execution of an Agreement. Each bond shall be executed by a corporate surety or sureties authorized to do business in the State of Texas and acceptable to Owner, on Owner’s form (Ref. Exhibit D and E), and in compliance with the relevant provisions of the Texas Insurance Code. If any bond is for more than ten (10) percent of the surety’s capital and surplus, Owner may require certification that the company has reinsured the excess portion with one or more reinsurers authorized to do business in the State. A reinsurer may not reinsure for more than ten (10) percent of its capital and surplus. If a surety upon a bond loses its authority to do business in the State, Contractor shall, within thirty (30) days after such loss, furnish a replacement bond at no added cost to Owner.

1.22.1 Bonds will be submitted in accordance with the policies and procedures set forth in Article 5 of the Uniform General Conditions for UT System Building Construction Projects (Ref. Exhibit B), entitled "Bonds and Insurance", and Exhibit C, Owner’s Special Conditions.

1.23 **TEXAS ETHICS COMMISSION FORM 1295, CERTIFICATE OF INTERESTED PARTIES**

Vendor Disclosure Requirements for Contracts Exceeding $1 Million. Effective January 1, 2016, The University of Texas institutions, including UTMB, must comply with the "Disclosure of Interested Parties" requirements mandated by HB 1295, as implemented by the Texas Ethics Commission. Briefly stated, Contracts for goods or services exceeding $1 million may not be executed by UTMB until the Awarded Vendor presents a signed form disclosing interested parties to the Contract. Visit the website below for more information.

https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm

*References: Government Code Sec. 2252.908, ("Disclosure of Interested Parties" Statute) Texas Administration Code Sec. 46.1 - 46.3 ("Disclosure of Interested Parties" Regulations) UT System Board of Regents Rules and Regulations, Rule 10501, Sec. 3.1.1& 3.1.2 Texas Ethics Commission "Disclosure of Interested Parties".*
SECTION 2 – EVALUATION CRITERIA AND TECHNICAL PROPOSAL REQUIREMENTS

Respondents shall submit a complete Proposal addressing all questions in Attachment 1 Company Overview and formatted as directed in Section 3 of this RFP. Incomplete Proposals may be considered non-responsive and be subject to rejection.

2.1 Respondent’s Technical Proposal

Respondent’s Proposal should contain a response to the following:

2.1.1 Company Overview: (Complete and return Attachment 1 – Company Overview)
2.1.2 Key Personnel: (Ref. Attachment 1 – Company Overview and Attachment 2 – Key Personnel and Reference Sheet)
2.1.3 Letter of HUB Commitment (Attachment 8) and Self-Performing HUB Plan (Attachment 8a), to be submitted with the proposal.
2.1.4 Project Management: (Ref. Attachment 1 – Company Overview)
2.1.5 Safety Program: (Ref. Attachment 1 – Company Overview)
2.1.6 Other Consideration: (Ref. Attachment 1 – Company Overview)
2.1.7 Acknowledgment of Addenda: (Ref. Attachment 1 – Company Overview)
2.1.8 Insurance Acknowledgement: (Ref. Attachment 1 – Company Overview)
2.1.9 Proposed Coefficient: (Ref. Attachment 7 – Coefficient Proposal Form)
2.1.10 Other applicable submittals required in this RFP.

2.2 Evaluation of Proposals: The evaluation of the Proposals shall be based on the requirements described in this RFP. A portion of the evaluation will be based on the Respondent’s Coefficient Proposal; the remaining evaluation will be based on the Respondent’s Technical Proposal and Criteria in listed in Section 2.3 of this RFP. All properly submitted Proposals will be reviewed, evaluated, and ranked by the Owner.

2.3 Evaluation Criteria: Proposals, in which the submitted Letter of HUB Commitment and Self-Performing HUB Plan is accepted, shall be evaluated on the criteria as specified below:

- Proposed Co-efficient
- JOC Experience
- Company Overview
- JOC Key Personnel
- Project Management
- Safety Program

2.4 Acceptance of Evaluation Methodology: By submitting its Proposals in response to this RFP, the Respondent accepts the evaluation process and acknowledges and accepts that determination of the “best value” Respondent will require subjective judgments by the Owner.

The Owner reserves the right to consider any Proposal “non-responsive” if the Proposed Coefficient is determined to be unreasonable or irresponsible in relation to the other submitted Proposals.
SECTION 3 – FORMAT OF PROPOSAL

3.1 TECHNICAL PROPOSAL FORMAT:

3.1.1 Entire Proposal shall be tailored to Job Order Contracting and shall be prepared SIMPLY AND ECONOMICALLY. Emphasis shall be on the COMPLETENESS, CLARITY of content, and RESPONSIVENESS to the technical questions.

3.1.2 RESPONDENT’S TECHNICAL RESPONSE SHALL FOLLOW THE FORMAT OF SECTION 3 OF THIS RFP. Please list each question/requirement and provide your response below the question. Respondents shall carefully read the information contained in this RFP and submit a complete response to all requirements and questions as directed. Incomplete Proposals may be subject to rejection.

3.1.3 Respondent’s Technical Proposal shall be a MAXIMUM OF FIFTEEN (15) PRINTED PAGES (Front and Back, or 30 pages, single sided PDF). The cover, table of contents, divider sheets, HUB Commitment Letter, Self-Performing HUB Plan, and Pricing & Delivery Proposal Form, Environmental Sustainability Questionnaire, and Execution of Offer do not count as printed pages.


3.1.5 Supplemental documentation, such as Financial Statements, are not to be submitted as a part of the Proposal, unless specifically requested by UTMB.

3.1.6 Proposals, and any other information submitted by Respondents in response to this RFP, shall become the property of the Owner.

3.1.7 Failure to comply with all requirements contained in this Request for Proposals may result in the rejection of the Proposals.

3.2 PAGE SIZE and ELECTRONIC COPY:

3.2.1 Proposals must be created on letter-size (8 ½” x 11”) paper for printing purposes.

3.2.2 The electronic Copy of the proposal is to be provided in Adobe Acrobat (.pdf) format

3.3 TABLE OF CONTENTS:

Include with the proposal a Table of Contents that includes page number references. The Table of Contents should be in sufficient detail to facilitate easy reference of the sections of the proposal.

3.4 PAGINATION:

All pages of the Technical Proposal should be numbered sequentially in Arabic numerals (1, 2, 3, etc.).