CITY OF SAN ANTONIO

PUBLIC WORKS DEPARTMENT

REQUEST FOR QUALIFICATIONS
("RFQ")

FOR

PROFESSIONAL PAVEMENT MANAGEMENT SERVICES

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I. SCOPE OF SERVICES

The City of San Antonio ("City") is seeking professional services to provide a survey of one third of the City's centerline miles, approximately 1,300 miles, of pavement network. Services will be performed on an annual basis and will include the assessment of pavement condition, as well as the maintenance of an inventory in accordance with GASB-34.

The chosen firm must provide and utilize a pavement information database that:

- Integrates or can customized to integrate on a real-time basis with the City's existing pavement management system data, ArcView GIS Street files, and the City's Right of Way Management online permitting system (Oracle based).
- Maintains and analyzes the survey data and results using a 0-100 pavement condition assessment scoring scale.
- Operates simultaneously with multiple users.
- Produces reports that identify, prioritize, and analyze cost for prospective street maintenance and reconstruction projects, according to the City's policies and strategies.
- Allows for long range forecasting and variable changes in order to make comparisons for a variety of different situations.

In addition, the selected firm must provide training to assist in the use of the provided software. Fees and expenses for these services will be negotiated with the chosen firm. However, the available total budget for this project is $229,000.00.

II. SUBMISSION REQUIREMENTS

Respondent's submittal shall include the following items in the following sequence:

1. Interest Statement: Completed Interest Statement. (Attachment 1)
2. Description of Survey Methodology: The submitting firm should identify the manner by which pavement data will be collected, the types of pavement distresses on which data will be collected, the distress/deduction curves for each distress type, as well as methods of assessing pavement rideablity. In addition, the submitting firm should provide information on the database platform, format, and capabilities that they intend to utilize.
3. Discretionary Contracts Disclosure Statement: Completed Discretionary Contracts Disclosure Form. If Respondent is submitting as a team or joint venture, then all parties to that team or joint venture shall complete and return this form with the submittal. (Attachment 2)
4. Litigation Disclosure Statement: Completed Litigation Disclosure Form. If Respondent is proposing as a team or joint venture, then all parties to that team or joint venture shall complete and return this form with the submittal. (Attachment 3)
5. Proof of Insurability: Respondent shall submit a letter from insurance provider stating provider's commitment to insure the respondent for the types of coverages and at the levels specified in this RFQ if awarded a contract in response to this RFQ. Respondent shall also submit a copy of their current insurance certificate
6. South Central Texas Regional Certification Agency Certification Affidavit or Certificate: (if applicable)

7. List of Subcontractors: Completed List of Subcontractors form with signature. (Attachment 4)
8. Signature Page: Respondent must complete and include a signed Signature Page with their qualification statement. The Signature Page must be signed by a person, or persons, authorized to bind the entity, or entities, submitting their qualifications. Qualification statements signed by a person other than an officer of the company or partner of the firm shall be accompanied by evidence of authority. (Attachment 5)
9. Submittal Checklist: (Attachment 6)

Respondent is expected to examine this RFQ carefully, understand the terms and conditions for providing the services listed herein and respond completely. **FAILURE TO COMPLETE AND PROVIDE ANY OF THESE DOCUMENTS MAY RESULT IN THE RESPONDENT'S SUBMITTAL BEING DEEMED NON-RESPONSIVE AND THEREFORE DISQUALIFIED FROM CONSIDERATION.**

III. AMENDMENTS TO RFQ

Changes, amendments, or written responses to questions received regarding this RFQ may be posted on the City's website at http://www.sanantonio.gov/rfp/. It is Respondent's responsibility to review this site and ascertain whether any amendments have been made prior to submission of a proposal. A Respondent who does not have access to the Internet, must notify the City in accordance with Section VI, Communication Guidelines, that Respondent wishes to receive copies of amendments to this RFQ by mail.

No oral statement of any person shall modify or otherwise change or affect the terms, conditions or specifications stated in the RFQ, and changes to the RFQ – if any – shall be made in writing only.

IV. SUBMISSION INSTRUCTIONS

A. Respondent shall provide eight (8) copies of their submittal, at least **one (1) of which must be a clearly identified original signed in blue ink**. All copies must be submitted in a sealed package, clearly marked on the front of the package **"PAVEMENT MANAGEMENT SERVICES"**. All submittals must be received in the City Clerk's Office no later than **4:00 p.m.** local time, **Tuesday, February 1, 2005** at the address below. Any submittal received after this time shall not be considered.

Mailing Address:
City Clerk's Office, Attn: Public Works, Capital Programs Contract Services Section
P.O. Box 839966,
San Antonio, Texas 78283-3966

Physical Address:
City Clerk's Office, Attn: Public Works, Capital Programs Contract Services Section
100 Military Plaza
2nd floor, City Hall
San Antonio, Texas 78205.

Submittals sent by facsimile or email will not be accepted.

B. Submittal Format: Each submittal shall be typewritten and submitted on 8 ½" x 11" white paper. Font size shall be no less than 12-point type. Margins shall be no less than ¾" around the perimeter of each page. Originals shall be easily identifiable and should be signed in blue ink. Each page shall be numbered. Electronic files shall not be included as part of the submittal; compact disks and/or computer disks submitted as part of the submittal shall not be considered. Each submittal must include the sections and attachments in the sequence listed in the Submission Requirements Section, and each section and attachment must be indexed and divided by tabs and indexed in a Table of Contents page. Failure to meet the above conditions may result in disqualification.

C. Respondents who submit responses to this RFQ shall correctly reveal, disclose, and state the true and correct name of the individual, proprietorship, corporation, and /or partnership (clearly identifying the responsible general partner and all other partners who would be associated with the contract, if any). No nicknames, abbreviations (unless part of the legal title), shortened or shorthand, or local "handles" will be accepted in lieu of the full, true and correct legal name of the entity. These names shall comport exactly with the corporate and franchise records of the Texas Secretary of State and Texas Comptroller of Public Accounts. Individuals and proprietorships, if operating under other than an individual name, shall match with exact Assumed Name filings. Corporate Respondents and limited liability company Respondents shall include their 11-digit Texas Comptroller's Taxpayer Number and 9-digit Internal Revenue Service Taxpayer number on the Signature Page.

   If an entity is found to have incorrectly or incompletely stated its name or failed to fully reveal its identity on the Signature Page, the Director of the Public Works Department shall have the discretion, at any point in the contracting process, to suspend consideration of the submittal.

D. All provisions in Respondent's submittal, shall remain valid for ninety (90) days following the deadline date for submissions or, if a proposal is accepted, throughout the entire term of the contract.

E. All submittals become the property of the City upon receipt and will not be returned. Any information deemed to be confidential by Respondent should be clearly noted on the page(s) where confidential information is contained; however, the City cannot guarantee that it will not be compelled to disclose all or part of any public record under the Texas Public Information Act, since information deemed to be confidential by Respondent may not be considered confidential under Texas law, or pursuant to a Court order.

F. Any cost or expense incurred by the Respondent that is associated with the preparation of the submittal, the Pre-Submission Conference, if any, or during any phase of the selection process, shall be borne solely by Respondent.

V. COMMUNICATION GUIDELINES

Once the RFQ has been released, Respondents are prohibited from communicating with City staff regarding the RFQ, with the following exceptions:

A. Questions concerning this RFQ shall be directed, in writing or via e-mail, to the Capital Programs Contract Services Section, attn: Diana Dwyer, at 114 W. Commerce, San Antonio, Texas 78205 or P.O. Box 839966, San Antonio, TX 78283-3966 and via e-mail to

ddwyer@sanantonio.gov. There will be no responses to written questions or to e-mails, but they will be answered by posting an addendum to the RFQ on the City's website. **Verbal questions and explanations are not permitted.** No inquiries or questions will be answered if received after **4:30 p.m. on Friday, January 21, 2005**, to allow ample time for the release of answers and/or amendments to this RFQ.

Respondents and/or their Agents may contact the Small Business Outreach Office of the Economic Development Department for assistance or clarification with issues specifically related to the City's Small Business Economic Development Advocacy (SBEDA) policy and/or completion of the Good Faith Effort Plan form. The point of contact is Anita Uribe Martin. Ms. Martin can be contacted by telephone at 210-207-3901 or via email at aumartin@sanantonio.gov. Respondents and/or their Agents may contact Ms. Martin at any time prior to the submission deadline. **Contacting her or her office regarding this RFQ after the proposal due date is not permitted.**

B. **Respondent shall not contact City employees regarding this RFQ before an award has been made, except as set out herein. Violation of this provision by Respondent or his agent may lead to disqualification of his submittal from consideration.**

C. The City reserves the right to contact any Respondent for clarification after responses are opened and/or to further negotiate with any Respondent if such is deemed desirable by City.

VI. EVALUATION CRITERIA

The City will conduct a comprehensive, fair and impartial evaluation of all submittals received in response to this RFQ. The City may appoint a selection committee to perform the evaluation. Each submittal will be analyzed to determine overall responsiveness and qualifications under the RFQ. Criteria to be evaluated may include the items listed below. The selection committee may select all, some or none of the Respondents for interviews. If the City elects to conduct interviews, Respondents may be interviewed and re-scored based upon this same criteria, or other criteria to be determined by the selection committee. The City may also request additional information from Respondents at any time prior to final approval of a selected Respondent. The City reserves the right to select one, more than one, or none of the Respondents to provide services. Final approval of a selected Respondent is subject to the action of the City of San Antonio City Council.

The Evaluation criteria:

A. Qualifications (20%)
B. Experience (20%)
C. Quality of Service (10%)
D. Ability to Complete the Project within Specified Time Period (10%)
E. Previous Project Performance (20%)
F. Compliance with Small Business Economic Development Advocacy Program (SBEDA) Regulations/Goals, per City Ordinance 100182 approved 12/16/04 (20%)

Small Business Economic Development Advocacy Program (SBEDA):

1. Up to ten percentage (10) points based on the following criteria:

i. Prime contractors meeting the definition of a Local Business Enterprise (LBE) shall receive 10 percent (10%) of the selection points.

ii. Prime contractors who have a local branch office will receive six percent (6%) of the selection points.

iii. Non-local prime contractors shall receive selection points for subcontracting with local businesses proportional to the amount of work performed by those local subcontractors/suppliers (i.e. – 50% to local = 5 points).

2. Up to five percentage (5%) points based on the following criteria:

i. Prime contractors meeting the definition of a Historically Underutilized Enterprise (HUE) shall receive 5 percent (5%) of the selection points.

ii. Prime contractors who subcontract with HUEs shall receive selection points proportional to the amount of work performed by those HUES (i.e., 50% to HUEs = 2.5 points).

iii. HUEs must be certified by the City's certifying agency or approved by the Director of Economic Development or designee.

iv. On Federally-Assisted Projects, as applicable in conformance with federal regulations, DBE certification status may be used in lieu of HUE status.

3. Up to five percentage (5%) points for Prime Contractor compliance with the Small Business Economic Development Advocacy (SBEDA) policy:

i. One percent (1%) for submission/approval of the List of Sub-consultants.
ii. One percent (1%) for meeting/exceeding the MBE goal.
iii. One percent (1%) for meeting/exceeding the WBE goal.
iv. One percent (1%) for meeting/exceeding the AABE goal.
v. One percent (1%) for meeting/exceeding the SBE goal.

VII. ADDITIONAL INFORMATION

A. City reserves the right to award one, more than one or no contract(s) in response to this RFQ.

B. The Contract, if awarded, will be awarded to the Respondent(s) whose submittal(s) is deemed most advantageous to City, as determined by the selection committee, upon approval of the City Council.

C. City may accept any submittal in whole or in part. If subsequent negotiations are conducted, they shall not constitute a rejection or alternate RFQ on the part of City. However, final selection of a Respondent is subject to City Council approval.

D. City reserves the right to accept one or more submittals or reject any or all submittals received in response to this RFQ, and to waive informalities and irregularities in the

proposals received. City also reserves the right to terminate this RFQ, and reissue a subsequent solicitation, and/or remedy technical errors in the RFQ process.

E. City will require the selected Respondent(s) to execute the contract in substantially final form with the City, prior to City Council award. No work shall commence until City signs the contract document(s) and Respondent(s) provides the necessary evidence of insurance as required in the Contract. Contract documents are not binding on City until approved by the City Attorney. In the event the parties cannot negotiate and execute a contract within the time specified, City reserves the right to terminate negotiations with the selected Respondent and commence negotiations with another Respondent.

F. This RFQ does not commit City to enter into a Contract, award any services related to this RFQ, nor does it obligate City to pay any costs incurred in preparation or submission of a proposal or in anticipation of a contract.

G. Prior to the commencement of any work under an AGREEMENT with the City, **CONSULTANT** shall furnish an original completed Certificate of Insurance to **CITY's** Public Works Department and **CITY's** Risk Management Division, and shall be clearly labeled **"PAVEMENT MANAGEMENT SERVICES"**, which shall be completed by an agent authorized to bind the named underwriter(s) and their company to the coverage, limits, and termination provisions shown thereon, containing all required information referenced or indicated thereon. The original certificate must have the agent's original signature, including the signer's company affiliation, title and phone number, and be mailed directly from the agent to **CITY**. **CITY** shall have no duty to pay or perform under this AGREEMENT until such certificate shall have been delivered to **CITY's** Public Works Department and **CITY's** Risk Management Office, and no officer or employee shall have authority to waive this requirement.

CONSULTANT's financial integrity is of interest to **CITY**, therefore, subject to **CONSULTANT's** right to maintain reasonable deductibles in such amounts as are approved by **CITY**, **CONSULTANT** shall obtain and maintain in full force and effect for the duration of an AGREEMENT with the City, and any extension hereof, at **CONSULTANT's** sole expense, insurance coverage written on an occurrence basis, except for professional liability, by companies authorized, approved or admitted to do business in the State of Texas and rated A- or better by A.M. Best Company and/or otherwise acceptable to **CITY**, in the following types and amounts:

TYPE	MINIMUM AMOUNTS
1. Workers' Compensation	Statutory
2. Employers' Liability	$500,000/$500,000/$500,000
3. Commercial General (public) Liability Insurance to include coverage for the following: a. Premises/Operations b. Independent Contractors c. Products/completed operations d. Personal Injury	Combined Single Limit for Bodily Injury and Property Damage of $1,000,000 per; General Aggregate limit of $2,000,000 occurrence or its equivalent in umbrella or excess liability coverage

e. Contractual liability	
4. Business Automobile Liability a. Owned/Leased Vehicles b. Non-Owned Vehicles c. Hired Vehicles	Combined Single Limit for Bodily Injury and Property Damage of $1,000,000 per occurrence
5. Professional Liability (Claims made form)	$1,000,000 per claim to pay on behalf of the insured all sums which the insured shall become legally obligated to pay as damages by reason of any negligent act, malpractice, error or omission in professional services.

CITY shall be entitled, upon request and without expense, to receive copies of the policies and all endorsements thereto as they apply to the limits required by **CITY. CONSULTANT** shall be required to comply with any such requests and shall submit a copy of the replacement certificate of insurance to **CITY** at the address herein within 10 days of the requested change.

CONSULTANT agrees that with respect to the above required insurance; all insurance contracts and Certificate(s) of Insurance will contain the following required provisions:

- Name **CITY** and its officers, employees, and elected representatives as additional insureds as respects operations and activities of, or on behalf of, the named insured performed under contract with **CITY**, with the exception of the workers' compensation and professional liability polices;
- Provide for an endorsement that the "other insurance" clause shall not apply to the City of San Antonio where **CITY** is an additional insured shown on the policy;
- Workers' compensation and employers' liability policy will provide a waiver of subrogation in favor of **CITY**.

When there is a cancellation, non-renewal or material change in coverage which is not made pursuant to a request by **CITY**, **CONSULTANT** shall notify **CITY** of such and shall give such notices not less than thirty (30) days prior to the change, if **CONSULTANT** knows of said change in advance, or ten (10) days notice after the change, if the **CONSULTANT** did not know of the change in advance. In the event of cancellation or non-renewal, such notice must be accompanied by a replacement Certificate of Insurance. All notices under this Article shall be given to **CITY** at the following addresses:

City of San Antonio	City of San Antonio
Public Works Department – Capital Programs	Risk Management
P.O. Box 839966	111 Soledad, 10th Floor
San Antonio, Texas 78283-3966	San Antonio, Texas 78205

If **CONSULTANT** fails to maintain the aforementioned insurance, or fails to secure and maintain the aforementioned endorsements, **CITY** may obtain such insurance, and deduct

and retain the amount of the premiums for such insurance from any sums due under the **AGREEMENT**; however, procuring of said insurance by **CITY** is an alternative to other remedies **CITY** may have, and is not the exclusive remedy for failure of **CONSULTANT** to maintain said insurance or secure such endorsement. In addition to any other remedies **CITY** may have upon **CONSULTANT's** failure to provide and maintain any insurance or policy endorsements to the extent and within the time herein required, **CITY** shall have the right to order **CONSULTANT** to stop work thereunder, and/or withhold any payment(s) which become due to **CONSULTANT** thereunder until **CONSULTANT** demonstrates compliance with the requirements thereof. A stop work order given to **CONSULTANT** by **CITY** in accordance with this Article shall not constitute a Suspension of Work pursuant to Article VIII, Section 8.7 of the Professional Engineering Services Agreement, a sample of which is available at http://www.sanantonio.gov/capprog/RFQforms.asp.

Nothing herein contained shall be construed as limiting in any way the extent to which **CONSULTANT** may be held responsible for payments of damages to persons or property resulting from **CONSULTANT's** or its subcontractors' performance of the work covered under any **AGREEMENT** entered into by **CITY** and **CONSULTANT**.

It is agreed that **CONSULTANT's** insurance shall be deemed primary with respect to any insurance or self insurance carried by **CITY** of San Antonio for liability arising out of operations under any **AGREEMENT** entered into by **CITY** and **CONSULTANT**.

H. Conflicts of Interest. Respondent acknowledges that it is informed that the Charter of the City of San Antonio and its Ethics Code prohibit a City officer or employee, as those terms are defined in the Ethics Code, from having a financial interest in any contract with City or any City agency such as City-owned utilities. An officer or employee has a "prohibited financial interest" in a contract with City or in the sale to City of land materials, supplies or service, if any of the following individual(s) or entities is a party to the contract or sale: the City officer or employee; his parent; child or spouse; a business entity in which he or his parent, child or spouse owns ten (10) percent or more of the voting stock or shares of the business entity, or ten (10) percent or more of the fair market value of the business entity; or a business entity in which any individual or entity above listed is a subcontractor on a City contract, a partner or a parent or subsidiary business entity.

I. Independent Contractor. Respondent agrees and understands that, if selected, it and all persons designated by it to provide services in connection with a contract, is (are) and shall be deemed to be an independent contractor(s), responsible for its (their) respective acts or omissions, and that City shall in no way be responsible for Respondent's actions, and that none of the parties hereto will have authority to bind the others or to hold out to third parties, that it has such authority.

Attachment 1

CITY OF SAN ANTONIO
Engineer's/Architect's Professional Service Interest Statement

PROJECT NAME:

1. FIRM NAME:

   ADDRESS:

   TELEPHONE NO.:

(If Joint Venture or Partnership so state. List Prime firm/subfirm; state amount of work to be shared and area of work. Attach organizational chart.)

2. SIZE OF FIRM: (San Antonio Office only) List only permanent employees receiving benefits as of the last full quarter prior to this submittal. (Do not include temporary employees nor contracted labor.)

	Professionals	Technicians or Para-Professionals	Administrative
Minorities/ Women:			
Other:			
Total:			

3. EQUIPMENT & FACILITIES: (List any special equipment or facilities available to do the required work accurately and expeditiously.)

4. PRINCIPAL IN CHARGE OF PROJECT: (State amount of time devoted to the project. List education, registration and experience.)

5. ENGINEER/ARCHITECT TO BE IN CHARGE OF THIS PROJECT: (Give qualifications and experience for this type of work, to include education and registration.)

6. OTHER ENGINEERS/ARCHITECTS OR PARA-PROFESSIONALS TO BE INVOLVED IN THIS PROJECT: (List education, registration and experience as applicable.)

7. OTHER PROFESSIONALS WHO WILL BE INVOLVED IN THE DESIGN OF THIS PROJECT: (Give qualifications and brief experience. List subcontractors if applicable, their area of responsibility and experience.)

7A. List projects which reflect firm's prior cooperative efforts.

8. GIVE A BRIEF DESCRIPTION OF FIRM'S QUALIFICATIONS: (Be specific for area of work involved in this project. Also include dates and facility owner/representative for reference discussions.)

9. FIRM'S AVAILABILITY: (When can firm start work? Is there any concurrent commitment that would impede progress on this project, i.e. other jobs?)

CAN YOU MEET THE PROPOSED TIME SCHEDULE FOR DESIGN OF THIS PROJECT?

_____YES _____NO

In questions 10-15 please refer to the definitions on the attached definition sheet in order to answer the questions properly.

10. ARE YOU A SMALL BUSINESS ENTERPRISE? (SBE)
(IF YES, INDICATE BELOW)

_____YES _____NO

11. DO YOU OR YOUR TEAM QUALIFY AS A MINORITY BUSINESS ENTERPRISE?

_____YES _____NO
(IF YES, INDICATE BELOW)

IF YES: CERTIFICATION NO. _____

_____BLACK

_____AMERICAN INDIAN OR ALASKAN NATIVE

_____ASIAN OR PACIFIC ISLANDER

_____HISPANIC

_____TWO OR MORE DIFFERENT MINORITY GROUPS

12. ARE YOU CERTIFIED BY THE SOUTH CENTRAL TEXAS REGIONAL CERTIFICATION AGENCY (SCTRCA) AS A WOMEN-OWNED BUSINESS ENTERPRISED? (WBE)

_____YES _____NO

IF YES: CERTIFICATION NO. _____

13. ARE YOU CERTIFIED BY THE SCTRCA AS A DISADVANTAGED BUSINESS ENTERPRISE? (DBE)

_____YES _____NO

IF YES: CERTIFICATE NO. _____

14. IF YES TO ANY OF THE QUESTIONS 10-13, LIST OWNERS AND PERCENTAGE OF OWNERSHIP: IF JOINT VENTURE INCLUDES A CERTIFIED MBE OR WBE INDICATE PERCENTAGE TO WHICH THE CERTIFIED MBE OR WBE MEMBER WILL PARTICIPATE:

_____% WBE CERTIFICATE NO. _____

_____% DBE CERTIFICATE NO. _____

15. PLEASE INDICATE THE TOTAL NUMBER OF EMPLOYEES IN YOUR FIRM.

16. ARE YOU A LOCAL BUSINESS ENTERPRISE HEADQUARTERED WITHIN BEXAR COUNTY?

_____YES _____NO

ARE YOU A LOCAL BUSINESS HEADQUARTERED WITHIN THE CORPORATE SAN ANTONIO CITY LIMITS?

_____YES _____NO

17. IF YES TO QUESTION 16, FOR WHAT PERIOD OF TIME HAS THE OFFICE BEEN HEADQUARTERED IN THIS AREA?

_____YEARS _____MONTHS

18. IF NO TO QUESTION 16, DO YOU HAVE A BRANCH OFFICE LOCATED WITHIN BEXAR COUNTY?

_____YES _____NO

19. IF YES TO QUESTION 18, FOR WHAT PERIOD OF TIME HAS THE BRANCH OFFICE BEEN LOCATED IN THIS AREA?

_____YEARS _____MONTHS

PLEASE INDICATE THE TOTAL NUMBER OF BEXAR COUNTY RESIDENTS

EMPLOYED AT THE BRANCH OFFICE. _____

20. PAST CLIENT REFERENCES:

MUNICIPAL REFERENCES:

21. HAVE YOU BEEN INVOLVED IN LITIGATION OR FILED A CLAIM OR LAWSUIT WITHIN THE PAST FIVE (5) YEARS? ARE THERE ANY JUDGMENTS, CLAIMS OR SUITS PENDING OR OUTSTANDING AGAINST YOUR ORGANIZATION OR ITS OFFICERS?
IF SO, WHAT WAS/IS THE RESULT/OUTCOME?

22. SPECIAL CONSIDERATION: (EXTRAODINARY CAPABILITIES):
FAMILIARITY WITH RULES, REGULATIONS, DESIGN CRITERIA, ETC. OF:

FAA	-	FEDERAL AVIATION ADMINISTRATION
EPA	-	ENVIRONMENTAL PROTECTION AGENCY
UDAG	-	URBAN DEVELOPMENT BLOCK GRANTS
CDBG	-	COMMUNITY DEVELOPMENT BLOCK GRANTS
OTHER	-	AS APPLICABLE TO THIS PROJECT

23. OTHER COMMENTS:

24. INDICATE CONTACT PERSON WHOM THE CITY CAN CALL UPON CONCERNING YOUR PROPOSAL OR SETTING DATES FOR MEETINGS:

NAME:

ADDRESS:

TELEPHONE NO.:

NOTE: All submissions relative to this Interest Statement shall become the property of the City of San Antonio and are non-returnable.

This RFQ does not commit the City to enter into a contract or provide reimbursement of any costs associated with this overall selection process. Final approval of professional services contract is

subject to City Council approval. Any and all information/charts/graphs, etc. produced as a result of this service (if selected) shall be the exclusive property of the City without restriction on usage.

Any and all costs associated with the preparation of any report or proposal in response to this RFQ shall be borne by the respondent.

Respondent acknowledges that all information submitted will be retained by City and is subject to the Open Records Act.

THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

_____

Signature of Principal

Date: _____

Attachment 2

City of San Antonio
Discretionary Contracts Disclosure*

For use of this form, see City of San Antonio Ethics Code, Part D, Sections 1&2
Attach additional sheets if space provided is not sufficient.
State"Not Applicable" for questions that do not apply.

* This form is required to be supplemented in the event there is any change in the information under (1), (2), or (3) below, before the discretionary contract is the subject of council action, and no later than five (5) business days after any change about which information is required to be filed.

Disclosure of Parties, Owners, and Closely Related Persons

For the purpose of assisting the City in the enforcement of provisions contained in the City Charter and the Code of Ethics, an individual or business entity seeking a discretionary contract from the City is required to disclose in connection with a proposal for a discretionary contract:

(1) the identity of any **individual** who would be a party to the discretionary contract:

(2) the identity of any **business entity**[1] that would be a party to the discretionary contract:

and the name of:

(A) any individual or business entity that would be a ***subcontractor*** on the discretionary contract;

and the name of:

(B) any individual or business entity that is known to be a ***partner***, or **a *parent*** or ***subsidiary*** business entity, of any individual or business entity who would be a party to the discretionary contract;

[1] A *business entity* means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law.

(3) the identity of any *lobbyist* or *public relations firm* employed for purposes relating to the discretionary contract being sought by any individual or business entity who would be a party to the discretionary contract.

Political Contributions

Any individual or business entity seeking a discretionary contract from the city must disclose in connection with a proposal for a discretionary contract all political contributions totaling one hundred dollars ($100) or more within the past twenty-four (24) months made directly or indirectly to any *current* or *former member* of City Council, any *candidate* for City Council, or to any *political action committee* that contributes to City Council elections, by any individual or business entity whose identity must be disclosed under (1), (2) or (3) above. Indirect contributions by an individual include, but are not limited to, contributions made by the individual's spouse, whether statutory or common-law. Indirect contributions by an entity include, but are not limited to, contributions made through the officers, owners, attorneys, or registered lobbyists of the entity.

To Whom Made:	**Amount:**	**Date of Contribution:**

Disclosures in Proposals

Any individual or business entity seeking a discretionary contract with the city shall disclose any known facts which, reasonably understood, raise a question[2] as to whether any city official or employee would violate Section 1 of Part B, Improper Economic Benefit, by participating in official action relating to the discretionary contract.

Signature:	**Title:** **Company:**	**Date:**

[2] For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.

CITY OF SAN ANTONIO
Litigation Disclosure

Failure to fully and truthfully disclose the information required by this Litigation Disclosure form may result in the disqualification of your proposal from consideration or termination of the contract, once awarded.

1. Have you or any member of your Firm or Team to be assigned to this engagement ever been indicted or convicted of a felony or misdemeanor greater than a Class C in the last five (5) years?

   Circle One YES NO

2. Have you or any member of your Firm or Team been terminated (for cause or otherwise) from any work being performed for the City of San Antonio or any other Federal, State or Local Government, or Private Entity?

   Circle One YES NO

3. Have you or any member of your Firm or Team been involved in any claim or litigation with the City of San Antonio or any other Federal, State or Local Government, or Private Entity during the last ten (10) years?

   Circle One YES NO

If you have answered "Yes" to any of the above questions, please indicate the name(s) of the person(s), the nature, and the status and/or outcome of the information, indictment, conviction, termination, claim or litigation, as applicable. Any such information should be provided on a separate page, attached to this form and submitted with your proposal.

TO THE BEST OF MY KNOWLEDGE, THE ABOVE INFORMATION IS TRUE AND CORRECT.

Company Name: _____

_____
Signature of Principal:

_____
Printed Name of Principal:

_____
Title of Principal

Rev. 5/31/02

LIST OF SUBCONTRACTORS/SUPPLIERS

(FOR CONTRACTS LESS THAN $200,000)

The Bidder/Proposer, _____, as part of the procedure for the submission of bid/proposals on a project known as _____, submits the following list of subcontractors/suppliers for proposed subcontracting areas (use additional sheets if necessary) to be used in the performance of work to be done on said project.

NAME OF SUBCONTRACTOR/SUPPLIER	SBE-MBE-WBE-AABE CERTIFICATION NUMBER	PERCENT AND DOLLAR AMOUNT OF SUBCONTRACT

The following section is to be completed if the contract (Project) is for less than $200,000. Please list subcontracting solicitations to all SBE-MBE-WBE-AABE contractors for participation on project. If none, explain (exclude successful bidders listed above). Use additional sheets if necessary. **The contractor is expected to solicit participation on subcontracts from available MBE-WBE-AABE-SBEs under this contract.**

NAME OF COMPANY PERFORMING WORK	SBE-MBE-WBE-AABE CERTIFICATION NUMBER	REASON FOR REJECTION

Only companies certified as an MBE, WBE, AABE or SBE by the City of San Antonio or its certifying organization can be applied toward the contracting goals. All MBE-WBE-AABE-SBE subcontractors or suppliers must submit a copy of their certification certificate through the Prime Contractor. Proof of certification must be attached to this form. If a business is not certified, please call the Small Business Program Office at (210) 207-3900 for information and details on how subcontractors/suppliers may obtain certification.

It is understood and agreed that, if awarded a contract by the City of San Antonio, the Contractor will not make additions, deletions, or substitutions to this certified list without consent of the Director of Economic Development and Director of the appropriate contracting department (through the submittal of the Request for Approval of Change to Affirmed List of Subcontractors/Suppliers form).

AFFIRMATION

I HEREBY AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER UNDERSTAND AND AGREE THAT, IF AWARDED THE CONTRACT, THIS DOCUMENT SHALL BE ATTACHED THERETO AND BECOME A BINDING PART OF THE CONTRACT.

NAME AND TITLE OF AUTHORIZED OFFICIAL: _____

SIGNATURE:_____DATE: _____

CITY OF SAN ANTONIO
Signature Page

"✓" Check box that indicates business structure of Respondent

☐ Individual or Proprietorship
☐ Partnership or Joint Venture
☐ Corporation

The undersigned certifies that (s)he is _____ (title) of the Respondent entity named below; that (s)he is designated to sign this Signature Page (if a Corporation then by resolution with Certified Copy of resolution attached) for and on behalf of the entity named below, and that (s)he is authorized to execute same for and on behalf of and bind said entity to the terms and conditions required by this RFQ, and has the requisite authority to execute an Agreement on behalf of Respondent, if awarded, and that the 11-digit Texas Comptroller's Taxpayer Number and 9-digit Internal Revenue Service Taxpayer Number for the entity is:

_____.
11-digit Texas Comptroller's Taxpayer Number

_____
Employer Identification Number (9-digit Internal Revenue Service Taxpayer Number)

_____
Respondent Organization Name (DBA also required if Individual or Proprietorship)

By: _____

By: _____
(If Respondent is a Joint Venture, an authorized signature from a representative of each party is required)

By signature above, Respondent agrees to the following:

1. If awarded a contract in response to this RFQ, Respondent will be able and willing to execute a contract in the form shown in the City's website at www.sanantonio.gov/capprog/RFQforms.asp, with the understanding that the scope and compensation provisions will be negotiated and included in the final document.
2. If awarded a contract in response to this RFQ, Respondent will be able and willing to comply with the insurance and indemnification requirements in Section VIII.
3. If awarded a contract in response to this RFQ, Respondent will be able and willing to comply with all representations made by Respondent in Respondent's submittal and during selection process.
4. Respondent has fully and truthfully submitted a Litigation Disclosure form with the understanding that failure to disclose the required information may result in disqualification of proposal from consideration.

Attachment 6

SUBMITTAL CHECKLIST

This checklist is to help the Respondent ensure that all required documents have been included in its submittal.

Document	Check or Initial to Indicate Document is Attached to Submittal
Table of Contents	
*Interest Statement	
Description of Survey Methodology	
*Discretionary Contracts Disclosure Statement	
*Litigation Disclosure Statement	
Proof of Insurability	
*List of Subcontractors	
*Signature Page	
** South Central Texas Regional Certification Agency (SCTRCA) Certificate (if applicable)	
Submittal Checklist	
8 Copies of Submittal (1 of which has original signatures)	

***Documents marked with an asterisk on this checklist require a signature. Be sure they are signed prior to submittal. Otherwise, your submission may be declared non-responsive.**

****For those firms not eligible for Certification as a Small, Disadvantaged, Minority, and/or Women-owned Business, please include a statement that the attachment is not applicable.**

SMALL BUSINESS ECONOMIC DEVELOPMENT ADVOCACY (SBEDA)
For Use with Contracts Between $25,000 - $200,000

1. **Small Business Participation**
Pursuant to Ordinance No. 100182, it is the policy of the City of San Antonio to involve Small, Minority, Women and African-American Owned Business Enterprises (S/M/W/AABE) to the greatest extent feasible in the City's discretionary contracts. The intent and purpose of the policy is to ensure that S/M/W/AABE firms have the opportunity to compete for City contracts without discrimination on the basis of race, color, religion, national origin, age, sex or handicap. To accomplish to objectives of the SBEDA policy, the City has established specific goals for local S/M/W/AABE participation in this contract.

2. **DEFINITIONS** related to the Small Business Economic Development Advocacy Provisions:

    a. **SBEDA Program:** Small Business Economic Development Advocacy Program designed to promote the utilization and participation of Local, Minority, Women, and African-American Owned Business Enterprises in City sponsored contract opportunities.

    b. **Small Business Enterprises (SBE):** a corporation, partnership, sole proprietorship or other legal entity, for the purpose of making a profit, which is independently owned and operated and which meets the U.S. Small Business Administration (SBA) size standard for small business. All firms meeting this threshold will be considered an SBE.

    c. **Local Business Enterprise (LBE):** a corporation, partnership, sole proprietorship, or other legal entity for the purpose of making a profit, which is headquartered within Bexar County for at least one year. For a branch office of a non-headquartered business to qualify as an LBE, the branch office must be located in Bexar County for at least one-year and employ a minimum of ten (10) residents of Bexar County or employ Bexar County residents for at least twenty-five (25%) of the entire company workforce for use at the local branch office.

    d. **Minority Business Enterprise (MBE):** a sole proprietorship, partnership, or corporation owned, operated, and controlled by a minority group member(s) who has at least 51% ownership. The minority group member(s) must have operational and managerial control, interest in capital, expertise and earnings commensurate with the percentage of ownership and be legal residents or citizens of the United States or its territories. To qualify as an MBE, the enterprise shall be headquartered in Bexar County for any length of time, or shall be doing business in a locality or localities from which the City regularly solicits, or receives bids on or proposals for, City contracts within the MBES's category of contracting for at lease on year.

e. **Woman Business Enterprise (WBE):** a sole proprietorship, partnership, or corporation owned, operated and controlled by women who have at least 51% ownership. The woman or women must have operational and managerial control, interest in capital, expertise and earnings commensurate with the percentage of ownership and be legal residents or citizens of the United States or its territories. To qualify as a WBE, the enterprise shall be headquartered in Bexar County for any length of time or shall be doing business in a locality or localities from which the City regularly solicits or receives bids on or proposals for, City contracts within the WBE's category of contracting for at least one year.

f. **African-American Business Enterprise (AABE):** a sole proprietorship, partnership, or corporation owned, operated and controlled by an African-American group member(s) who has at least 51% ownership. The African American Group member(s) must have operational and managerial control, interest in capital, expertise and earnings commensurate with the percentage of ownership and be legal residents or citizens of the United States or its territories. To qualify as an AABE, the enterprise shall be headquartered in Bexar County for any length of time or shall be doing business in a locality or localities from which the City regularly solicits, or receives bids on or proposals for, City contracts within the AABE's category of contracting for at least on year.

3. **Goals for Small Business Participation**

The goals for the utilization and participation of SBE-MBE-WBE-AABE businesses on this contract are as follows:

MBE	**31%**
WBE	**10%**
AABE	**2.2%**
SBE	**50%**

Please note that a small business could be classified in multiple categories and thus their utilization could in theory be counted in each category of goals. For example, **Prime Contractor X** submits a proposal, which specifies that they intend to subcontract with Subcontractor A for 10% of the contract. Subcontractor A is certified by the City as an SBE and MBE (a male-owned Hispanic Business owner can be certified as an SBE and MBE). **Prime Contractor X** also intends to subcontract with Subcontractor B for 13% of the contract. Subcontractor B is certified by the City as SBE, MBE and a WBE (a female-owned Hispanic Business owner can be certified as SBE, MBE and WBE). In addition, **Prime Contractor X** also intends to subcontract 10% of the contract to Subcontractor C—a City certified SBE, MBE and AABE (a male-owned African-American business owner can be certified as both a MBE and as a AABE Business). **Prime Contractor X** is also classified as a local

SBE. **Prime Contractor X's** compliance with the SBEDA goals under this scenario would be as follows:

	City's SBEDA Goals	Prime Contractor X's Compliance
MBE	31%	33%
WBE	10%	13%
AABE	2.2%	10%
SBE	50%	100%

Under this scenario, the contractor would be in full compliance with the SBEDA policy.

Another example regarding compliance with the policy is as follows: **Prime Contractor Y** submits a proposal, which specifies that they intend to partner through a joint-venture agreement with Company D. Company D is certified by the City as both an SBE and MBE (a male-owned Hispanic Business—certified as an SBE and MBE). As part of their joint-venture agreement, Company D will perform on 32.5% of the contract. **Prime Contractor Y** also intends to subcontract 13% of the contract with Subcontractor F. Subcontractor F is a City certified SBE/MBE/WBE and AABE business. **Prime Contractor Y** is also classified as a local SBE.

Prime Contractor Y compliance with the SBEDA goals would be as follows:

	City's SBEDA Goals	Prime Contractor Y's Compliance
MBE	31%	45.5%
WBE	10%	13%
AABE	2.2%	13%
SBE	50%	100%

Under this scenario, the contractor would be in full compliance with the SBEDA policy.

4. **List of Subcontractors Required**
   Proposals shall include a List of Subcontractors (ATTACHED), which shall identify the particular SBEs, MBEs, WBEs and AABEs to be utilized in the performance of a contract awarded pursuant to this RFP.

5. **MBE-WBE-AABE Certification Required**
   Only companies certified as MBE, WBE, or AABE through the South Central Texas Regional Certification Agency (SCTRCA), or as approved by the City of San Antonio Director of Economic Development, can be applied towards the contracting goals. Proof of certification must be submitted.

6. **SBEDA Information**
   Interested contractors/proposers are encouraged to contact the Small Business Outreach Office for information regarding the City's SBEDA Policy. Please call (210) 207-3915 or FAX: (210) 207-8151.