

**REQUEST FOR COMPETITIVE SEALED PROPOSALS
FOR A GENERAL CONTRACTOR**

**THE UNIVERSITY OF TEXAS PERMIAN BASIN
BRIGHT STAR MEMORIAL
RFP No.: 742-23-220-2**

PROPOSALS DUE THURSDAY JULY 13, 2023 2:00 PM CST



Prepared By:
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REQUEST FOR COMPETITIVE SEALED PROPOSALS
THE UNIVERSITY OF TEXAS PERMIAN BASIN
BRIGHT STAR MEMORIAL
RFP No.: 742-23-220-2

SECTION 1 – GENERAL INFORMATION AND REQUIREMENTS

- 1.1 **GENERAL INFORMATION:** The University of Texas System (“Owner”) and The University of Texas Permian Basin are soliciting Competitive Sealed Proposals (“Proposals”) for selection of a General Contractor firm for the Bright Star Memorial Project (“Project”), in accordance with the terms, conditions, and requirements set forth in this Request for Competitive Sealed Proposals.
- 1.1.1 This Request for Competitive Sealed Proposals (“RFP”) is the only step for selecting a General Contractor for the Project as provided by Texas Education Code §51.783(d). 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 and on its ranking evaluation. The Owner may first attempt to negotiate a contract with the selected offeror. The Owner may discuss with the selected offeror options for a scope or time modification and any price change associated with the modification. If the board is unable to reach a contract with the selected offeror, the Owner may formally end negotiations with that offeror 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.
- 1.2 **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.
- 1.2.1 The Owner strictly complies with all statutes, court decisions, and opinions of the Texas Attorney General with respect to disclosure of RFP information.
- 1.3 **TYPE OF CONTRACT:** Any contract resulting from this solicitation will be in the form of the Owner’s Standard General Contractor Agreement, a copy of which is included in the Bidding Documents.
- 1.3.1 The work will be awarded under as a Lump-Sum contract to the Respondent offering the “best value” to the Owner.
- 1.4 **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 Bid Documents in its Proposal.
- 1.4.1 **ADDENDUM MAY BE ISSUED BY THE POINT-OF-CONTACT FOR THIS RFP VIA THE UTPB WEB SITE AT [HTTP://WWW.PURCHASING@UTPB.EDU](http://www.purchasing@utpb.edu) FOR THE BID DOCUMENTS LISTED IN SECTION 5 BELOW.**

- 1.4.2 No oral explanation in regard to the meaning of the Bidding Documents will be made and no oral instructions will be given before the award of the contract. Discrepancies, omissions or doubts as to the meaning of Drawings and Specifications shall be communicated in writing to the Project Architect for interpretation. Any interpretation made will be in the form of an Addendum, which will be forwarded to all known plan holders and its receipt by the respondent shall be acknowledged on the Pricing and Delivery Proposal Form.
- 1.4.3 Respondents shall consider only those clarifications and interpretations to the Drawings and Specifications that the Project Architect issues by Addenda five (5) calendar days prior to the submittal deadline. Interpretations or clarifications in any other form, including oral statements, will not be binding on the Owner and should not be relied on in preparing Proposals.

1.5 SUBMISSION OF PROPOSALS:

- 1.5.1 BASE PROPOSAL DEADLINE AND LOCATION: The Owner will receive Base Proposals and Alternate Proposals at the time and location described below.

Thursday July 13th, 2:00 pm CST

**Elsa Montalvo, Director of Purchasing
The University of Texas Permian Basin
Office of Purchasing
4901 E. University Blvd
Mesa Building, Room 4270
Odessa, TX 79762**

- 1.5.1.1 Submit **ONE (1)** original copy of the Base Proposal and Alternate Proposals and an identical electronic copy on disc or thumb drive.

- 1.5.2 QUALIFICATIONS AND HUB SUBCONTRACTING PLAN DEADLINE AND LOCATION: The Owner will receive HUB Subcontracting Plans and Qualification Package at the time and location described below.

Friday July 14th, 2023 10:00 am CST

**Elsa Montalvo, Director of Purchasing
The University of Texas Permian Basin
Office of Purchasing
4901 E. University Blvd.
Mesa Building, Room 4270
Odessa, TX 79762**

- 1.5.2.1 Submit **ONE (1)** original copy of the Qualifications Package and an identical electronic copy on disc or thumb drive.

- 1.5.2.2. Submit **ONE (1)** original and one (1) identical electronic copy of the HUB Subcontracting Plan as separate attachments to the Proposals as described in Section 1.13.

- 1.5.3 Base Proposals, Alternates, Qualifications or HUB Subcontracting Plans that are received late will be returned to the respondent unopened. The Point-of-Contact identified in Section 1.6 will identify the official time clock at the Proposal submittal location identified above.
- 1.5.4 The Owner will not acknowledge or receive Base Proposals, Alternates, Qualifications or HUB Subcontracting Plans that are delivered by telephone, facsimile (fax).
- 1.5.5 Properly submitted Base Proposals, Alternates, Qualifications or HUB Subcontracting Plans will not be returned to the respondents.
- 1.5.6 Base Proposals, Alternates, Qualifications or HUB Subcontracting Plans materials must be enclosed in a sealed envelope (box or container) addressed to the Point-of-Contact identified in Section 1.6; the package must clearly identify the submittal deadline, the RFP Number, and the name and return address of the Respondent.
- 1.5.7 Properly submitted Proposals will be opened publicly and the names of the respondents will be read aloud after the HUB Subcontracting Plans are received and confirmed by the Owner.
- 1.6 POINT-OF-CONTACT: The Owner designates the following person, as its representative and 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.
- Elsa Montalvo, Director of Purchasing
The University of Texas Permian Basin
Office of Purchasing
4901 E. University Blvd.
Odessa, TX 79762
Phone: 432-552-2795
Fax: 432-552-3790
E-mail: montalvo_e@utpb.edu
- 1.6.1 The Owner designates the following person, as its Architect/Engineer representative regarding the technical Drawings and Specifications.
- Christine Ten Eyck, Landscape Architect
Ten Eyck Landscape Architects
1224 East 12th Street Suite 323
Austin, Texas 78702
Phone: (512) 813-9999
E-mail: TenEyck@teneyckla.com
- 1.7 EVALUATION OF PROPOSALS: The evaluation of the Proposals shall be based on the requirements described in this RFP. Approximately sixty percent (60%) of the evaluation will be based on the Respondent's Pricing and Delivery Proposal; the remaining evaluation will be based on the Respondent's qualifications. All properly submitted Proposals will be reviewed, evaluated, and ranked by the Owner.
- 1.8 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.

- 1.9 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. **This is NOT a “low bid” selection.**

- 1.9.1 The Owner reserves the right to consider any Proposal “non-responsive” if the Base Proposal Cost is determined to be unreasonable or irresponsible in relation to the other submitted Proposals and/or the Owner’s estimate of the construction cost.

- 1.10 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.

- 1.11 PRE-BID CONFERENCE: A PRE_BID conference will be held at the time and location described below:

Thursday, June 29th, 2023 1:30 pm CST

The University of Texas Permian Basin
4901 East University Blvd.
MESA Building, Conference Room 4206
Odessa, Texas 79762

- 1.11.1 At the Pre-Bid Conference, the Architect will provide an overview of the design intent of the Bright Star Memorial. A description of the documents and an expectation of finished work will be included as a part of the Conference agenda. Following the review of the design intent of the Bright Star Memorial, there will be an opportunity to drive to the project site, review existing conditions and ask questions regarding the Bright Star Memorial project.
***Attendance at the pre-submittal conference is optional.*

- 1.12 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.

- 1.13 HISTORICALLY UNDERUTILIZED BUSINESSES SUBMITTAL REQUIREMENTS: It is the policy of The University of Texas System and each of its component institutions, to promote and encourage contracting and subcontracting opportunities for Historically Underutilized Businesses (HUB) in all contracts. Accordingly, the UT System has adopted Exhibit H, Policy on Utilization of Historically Underutilized Businesses (included in the Bidding Documents). The Policy applies to all contracts with an expected value of \$100,000 or more. If UT System determines that subcontracting opportunities are probable, then a HUB Subcontracting Plan is a required element of the Proposals. Failure to submit a required HUB Subcontracting Plan will result in rejection of the Proposals.

- 1.13.1 STATEMENT OF PROBABILITY: The University of Texas System, and The University of Texas Permian Basin, have determined that subcontracting opportunities are probable in connection with this procurement solicitation. Therefore, a HUB Subcontracting Plan (HSP)

is required as a part of the respondent's Proposal. The respondent shall develop and administer a HSP as a part of the respondent's Proposal in accordance with the UT System Policy on Utilization of Historically Underutilized Businesses (HUB), Exhibit H.

- 1.13.2 Refer to Exhibit H, Policy on Utilization, Historically Underutilized Business and the Summary of Requirements for a detailed list of attachments required with the Proposals.
- 1.13.3 The "Statement of Probability" determines the probability for subcontracting opportunities. This determination will clarify which attachments, detailed in Figure 1, will be required to be completed and returned.
- 1.14 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.
- 1.15 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."
- 1.16 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.
- 1.17 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 6 of the Uniform General Conditions.

- 1.18 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 the U. T. System document, entitled "Prevailing Wage Guidelines." A copy is attached to the Special Conditions. 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.
- 1.19 DELINQUENCY IN PAYING CHILD SUPPORT: Under Section 231.006, Family Code, the vendor or applicant certifies that the individual or business entity named in this contract, bid, or application is not ineligible to receive the specified grant, loan, or payment and acknowledges that this contract may be terminated and payment may be withheld if this certification is inaccurate.

SECTION 2 – EXECUTIVE SUMMARY

2.1 HISTORICAL BACKGROUND:

<https://www.utpb.edu/about-us/mission-history>

2.2 MISSION STATEMENT:

As a regional, comprehensive institution, The University of Texas Permian Basin serves a diverse community of students from the region, the state and beyond. Through excellence in student-centered teaching, learning, research and public service, the University cultivates engaged citizens and impacts lives while advancing technology and the public interests of West Texas.

2.3 PROJECT DESCRIPTION AND SCOPE:

The Bright Star Memorial is a landscaped Memorial Plaza that has at its focal point a piece of bronze artwork that pays tribute to the victims and their families of the August 31, 2019 mass shooting in Midland/Odessa. The artwork is a bronze cylinder measuring five feet in diameter and eleven feet in height and is centered in a landscaped plaza. The internally lit cylinder reflects quotes and reflections from the victim's families onto the surrounding hardscape.

The Bright Star Memorial project is a partnership with the City of Odessa and Odessa Arts. The approximate 8.6-acre site is located on the Campus of The University of Texas Permian Basin in Odessa. The project will consist of the following scopes of work:

- Widening and reshaping of existing drainage channel
- Demolition of existing trails and bridges
- Construction of temporary trails
- Extensive grading and construction of a ten foot berm
- Underground utility installation and relocation
- Installation of irrigation systems
- Removal of existing trees and installation of new trees, shrubs, and grasses
- Hardscaping, landscaping
- Rough-in and installation of site lighting
- Installation of bicycle racks, drinking fountains
- Fabrication and installation of signage
- Concrete placement, installation of pre-manufactured bridges
- Coordination and installation of art work

2.4 PROJECT PLANNING SCHEDULE:

The following anticipated dates are for planning purposes only (if there is a conflict between the dates below and the Proposal Form, the duration shown on the Proposal Form shall govern). The contractual dates required by the Owner of the “best value” respondent will be identified in the executed agreement.

The Owner has planned a community gathering at the site of the Bright Star Memorial to commemorate the fourth anniversary of the shooting on August 31, 2023. The selected general contractor will be expected to assist the Owner with the planning and execution of this memorial event.

- | | |
|---|-----------------------|
| ▪ Owner conducts Pre-Submittal Conference | Refer to Section 1.11 |
| ▪ Owner receives Request for Competitive Sealed Proposals | Refer to Section 1.5 |
| ▪ Owner receives Qualifications/HUB Subcontracting Plan | Refer to Section 1.5 |
| ▪ Owner executes Agreement | July 27, 2023 |
| ▪ Owner issues Notice to Proceed for Construction | July 31, 2023 |
| ▪ General Contractor achieves Substantial Completion | July 31, 2024 |
| ▪ General Contractor achieves Final Completion | August 31, 2024 |

2.5 **PROJECT BUDGET**

The estimated construction cost (architect’s 95% Construction Document review) is \$4.7 M.
The estimated Total Project Cost is \$6 M.

SECTION 3 – REQUIREMENTS FOR COMPETITIVE SEALED PROPOSALS

Respondents shall carefully read the information contained in the following criteria and submit a complete statement of Proposals to all questions in Section 3 formatted as directed in Section 4. Incomplete Proposals will be considered non-responsive and subject to rejection.

3.1 CRITERIA ONE: RESPONDENT’S ABILITY TO PROVIDE CONSTRUCTION SERVICES

3.1.1 Provide the following information on your firm for the past **five** (5) fiscal years:

Volume

- Annual number, value and percent change of contracts in Texas per year;
- Annual number, value and percent change of contracts nationally per year;

Revenues

- Annual revenue totals and percent change per year;

Bonding

- Total bonding capacity;
- Available bonding capacity and current backlog;

- 3.2.2 Attach a letter of intent from a surety company indicating your firm's ability to bond for the entire construction cost of the project. The surety shall acknowledge that the firm may be bonded for the project, with a potential maximum construction cost of six million dollars (\$6,000,000). Bonding requirements are set forth in Article 17 of the Agreement and Article V of the Uniform General and Supplementary Conditions.
- 3.2.3 Identify if your firm is currently for sale or involved in any transaction to expand or to become acquired by another business entity? If so, please explain the impact both in organization and company direction.
- 3.2.4 Provide details of any past or pending litigation, or claims filed, against your firm that may affect your performance under a Contract with the Owner.
- 3.2.5 Identify if your firm is currently in default on any loan agreement or financing agreement with any bank, financial institution, or other entity? If so, specify date(s), details, circumstances, and prospects for resolution.
- 3.2.6 Does any relationship exist by relative, business associate, capital funding agreement, or any other such kinship between your firm and any Owner employee, officer or Regent? If so, please explain.

3.2 CRITERIA TWO: QUALIFICATIONS OF CONSTRUCTION TEAM

- 3.2.1 Provide resumes of the Respondent's team that will be directly involved in the Project, including their experience with similar projects, the number of years with the firm, and their city(s) of residence. Include as applicable; Project Managers, Superintendents, Assistant Project Managers and Superintendents, Expeditors, Project Scheduler, Quality Control Inspectors, Safety Coordinator / Assistant, Carpenter Forman, and Labor Forman.
- 3.2.2 For each team member identified above, provide his/her current status, and when each team member will be available to provide Construction Services for this Project.
- 3.2.3 Describe, in graphic and written form, the proposed Project assignments and lines of authority and communication for each team member to be directly involved in the Project. Indicate the estimated percent of time these team members will be involved in the Construction Services.
- 3.2.4 Identify the LANDSCAPE AND IRRIGATION Subcontractors included as part of this proposal, including their experience with similar projects, the number of years with the firm, and their city(s) of residence.

3.3 CRITERIA THREE: RESPONDENT'S PERFORMANCE ON PAST REPRESENTATIVE PROJECTS

- 3.3.1 Identify and describe the Construction Team's past experience for providing Construction Services that are MOST RELATED TO THIS PROJECT within the last five (5) years. List the projects in order of priority, with the most relevant project listed first. Provide the following information for each project listed:
 - Project name, location, contract delivery method, and description

- Color images (photographic or machine reproductions)
- Final construction cost
- Final project size in gross square feet
- Type of construction (new, renovation, or expansion)
- Actual Notice To Proceed, Substantial Completion, and Final Payment dates for Construction Services
- Name of Project Manager (individual responsible to the Owner for the overall success of the project)
- Name of Project Superintendent (individual responsible for coordinating the day to day work)
- Names of Mechanical, Plumbing and Electrical Subcontractors

References (for each project listed above, identify the following):

- The Owner's representative who served as the day-to-day liaison during construction, including telephone number
- Architect/Engineer's name and representative who served as the day-to-day liaison during construction, including telephone number
- Length of business relationship with the Owner.

References shall be considered relevant based on specific project participation and experience with the respondent. The Owner may contact references during any part of this process. The Owner reserves the right to contact any other references at any time during the RFP process.

3.4 CRITERIA FOUR: RESPONDENT'S PAST PERFORMANCE ON UT SYSTEM PROJECTS

3.4.1 Identify and describe the Construction Team's past experience for providing Construction Services on University of Texas System projects within the last five (5) years.

If the respondent has not previously provided Construction Services for The University of Texas System, then identify and describe the respondent's past performance on Construction projects for "major" institutions of higher education (or similar) within the last five (5) years. Projects may repeat with Section 3.3 above.

In either case above, provide the following information for each project listed:

- Project name, location, contract delivery method, and description
- Color images (photographic or machine reproductions)
- Final construction cost
- Final project size in gross square feet
- Type of construction (new, renovation, or expansion)
- Actual Notice To Proceed, Substantial Completion, and Final Payment dates for Construction Services
- Name of Project Manager (individual responsible to the Owner for the overall success of the project)
- Name of Project Superintendent (individual responsible for coordinating the day to day work)
- Names of Mechanical, Plumbing and Electrical Subcontractors

3.5 CRITERIA FIVE: RESPONDENT'S PROJECT PLANNING AND SCHEDULING FOR THIS PROJECT

- 3.5.1 Provide a Primavera CPM Milestone schedule for this Project as described in Owner Specification Section 01150 using the Project Planning Schedule and identify specific critical process, phases, milestones, approvals, and procurements anticipated. Clearly identify the 10% Total Project Float required during the Construction Phase.
- 3.5.2 Describe what you perceive are the critical Construction issues for this Project?

3.6 CRITERIA SIX: RESPONDENT'S QUALITY CONTROL AND COMMISSIONING PROGRAM FOR THIS PROJECT

- 3.6.1 Describe your quality control program. Explain the methods used to ensure quality control during the Construction phase of a project. Provide specific examples of how these techniques or procedures were used from any of three (3) projects listed in response to Section 3.3 or 3.4 of this RFP.
- 3.6.2 Describe how your quality control team will measure the quality of construction and commissioning performed by trade Subcontractors as required by Owner Specification Sections 01400, 01650 and 01705 on this Project, and how will you address non-conforming work.
- 3.6.3 Describe your past experience dealing with congested campuses/site conditions for any project listed in Section 3.3 or 3.4 of this RFP.
- 3.6.4 Provide examples of records, reports, monitoring systems, and information management systems you will use on this Project.
- 3.6.5 Describe your Best Management Practices for containing storm water run-off as required by the Environmental Protection Agency's National Pollutant Discharge Elimination System and The University of Texas Systems Storm Water Pollution Prevention Program.

3.7 CRITERIA SEVEN: RESPONDENT'S PROJECT SAFETY PROGRAM FOR THIS PROJECT

- 3.7.1 Describe your job site safety program for this Project and specific safety policies in which employees must be in compliance.
- 3.7.2 Identify any deaths that have occurred on a project site controlled by your firm, or any subcontractor(s) (at any contractual level), that had a death on your project site? If so, describe how you have revised your program.

CRITERIA EIGHT: RESPONDENT'S WARRANTY AND SERVICE SUPPORT PROGRAM FOR THIS PROJECT

- 3.8.1 Describe your warranty service support philosophy and warranty service implementation plan for this Project.

3.8.2 Describe how you will measure the quality of service provided to the Owner for this Project.

3.8.3 Provide reference letters from three (3) Owners (other than U.T. System) identified in Sections 3.3 OR 3.4 of the previously issued RFP that describe your response to, and performance on, warranty services AFTER substantial completion.

3.9 CRITERIA NINE: RESPONDENT'S PRICING AND DELIVERY PROPOSAL

3.9.1 Complete the "Respondent's Pricing and Delivery Proposal" included with the Bidding Documents.

SECTION 4 – FORMAT OF PROPOSALS

4.1 GENERAL INSTRUCTIONS

- 4.1.1 Proposals shall be prepared SIMPLY AND ECONOMICALLY, providing a straightforward, CONCISE description of the respondent's ability to meet the requirements of this RFP. Emphasis shall be on the QUALITY, completeness, clarity of content, responsiveness to the requirements, and an understanding of Owner's needs.
- 4.1.2 Proposals shall be a MAXIMUM OF FIFTY (50) PRINTED PAGES. The cover, table of contents, divider sheets, HUB Subcontracting Plan (Section 1.13), Pricing and Delivery Proposal, and Execution of Offer do not count as printed pages.
 - 4.1.2.1 Proposals shall be submitted as three (3) separate documents 1) Qualifications, 2) Pricing and Delivery Proposal with Execution of Offer in a sealed envelop, 3) HUB Subcontracting Plan.
- 4.1.3 Respondents shall carefully read the information contained in this RFP and submit a complete response to all requirements and questions as directed. Incomplete Proposals will be considered non-responsive and subject to rejection.
- 4.1.4 Proposals and any other information submitted by respondents in response to this RFP shall become the property of the Owner.
- 4.1.5 Proposals that are qualified with conditional clauses, alterations, items not called for in the RFP documents, or irregularities of any kind are subject to rejection by the Owner, at its option.
- 4.1.6 The Owner makes no representations of any kind that an award will be made as a result of this RFP. The Owner reserves the right to accept or reject any or all Proposals, waive any formalities or minor technical inconsistencies, or delete any item/requirements from this RFP when deemed to be in Owner's best interest.
- 4.1.7 Proposals shall consist of answers to questions identified in Section 3 of the RFP. It is not necessary to repeat the question in the Proposals; however, it is essential to reference the question number with the corresponding answer.
- 4.1.8 Failure to comply with all requirements contained in this Request for Proposals may result in the rejection of the Proposals.

4.2 PAGE SIZE, BINDING, DIVIDERS, AND TABS:

- 4.2.1 Proposals shall be printed on letter-size (8-1/2" x 11") paper and assembled with spiral-type bindings or staples. DO NOT USE METAL-RING HARD COVER BINDERS.
- 4.2.2 Additional attachments shall NOT be included with the Proposals. Only the responses provided by the Respondent to the questions identified in Section 3 of this RFP will be used by the Owner for evaluation.
- 4.2.3 Separate and identify each criteria response to Section 3 of this RFP by use of a divider sheet with an integral tab for ready reference.

4.3 TABLE OF CONTENTS:

- 4.3.1 Submittals shall include a “Table of Contents” and give page numbers for each part the Qualifications.

4.4 PAGINATION:

- 4.4.1 Number all pages of the submittal sequentially using Arabic numerals (1, 2, 3, etc.); the Respondent is not required to number the pages of the HUB Subcontracting Plan.

SECTION 5 - DRAWINGS AND SPECIFICATIONS

5.1 DEFINITION: Bidding Documents include the Bidding Requirements and the proposed Contract Documents. The Bidding Requirements consist of the Advertisement, the Request for Competitive Sealed Proposals, the Proposal Form, and other sample bidding and contract forms. The proposed Contract Documents consist of the Form of Agreement between the Owner and Contractor, Performance and Payment Bonds, Uniform General and Supplementary Conditions for Building Construction Contracts, Special Conditions, Prevailing Wage Rate Determination, HUB Utilization Policy (Exhibit 'H'), other forms and documents identified in the Agreement, Drawings, Specifications, and all Addenda issued prior to receipt of Proposals, and Change Orders issued after execution of the Contract.

5.2 DISTRIBUTION: A set of Construction Documents and Specifications may be viewed by Proposers at the following office locations:

The University of Texas Permian Basin
Physical Plant conference room
4901 E. University Blvd.
Odessa Texas 79762
Attention: Jay Haney, Director Physical Plant
(432) 552-2763

Parkhill Architects
1700 W. Wall Street Suite 100
Midland, Texas 79701
Attention: Cliff Mitchell

Ten Eyck Landscape Architects
1224 East 12th Street Suite 323
Austin, Texas 78702
Phone: (512) 813-9999

5.3 The construction documents and project specifications may be downloaded from the following port: ☐ [2023-06-16 UTPB BSM - 100% CD Drawings + Specs](#)

5.4 ADDITIONAL SETS OF DOCUMENTS: Additional sets of Bidding Documents, if available, may be obtained from the Architect, at the Bidder's expense, upon receipt of a check covering the cost of reproduction and mailing. It shall be understood that such extra sets do not become the Bidder's property, but are and shall be the Architect's exclusive property and shall be returned to the Architect after submittals have been received.