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FOR REQUESTS FOR STATEMENT

OF QUALIFICATIONS FOR

DESIGN SERVICES FOR TRAFFIC OPERATIONS – FACILITY

IMPROVEMENTS – McALLEN, TEXAS

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QUALIFICATIONS

REQUEST FOR STATEMENT OF QUALIFICATIONS

Sealed Request for Statements of Qualification addressed to Mr. Mike R. Perez, City Manager, City of McAllen, will be received on **March 27, 2009** until **4:00 p.m.** at the Purchasing and Contracting Department (3rd Floor) (City Hall), 1300 Houston Avenue (P. O. Box 220 McAllen, Texas 78505-0220) McAllen, Texas 78501 for:

**Request for Statements of Qualifications concerning
Architectural Design Services for the Traffic Operations – Facility Improvements
located at 210 N. 20th Street.**

Respondents receiving a “NOTICE TO BIDDERS”, “REQUEST FOR PROPOSALS” and/or REQUEST FOR STATEMENT OF QUALIFICATIONS notice in the mail or reading same in the newspaper may obtain Proposal forms and Instructions to Bidders/Respondents by downloading same from the City of McAllen web page address: www.mcallen.net/bids or by contacting the office of:

SANDRA ZAMORA, DIRECTOR OF PURCHASING & CONTRACTING, LOCATED AT 1300 HOUSTON AVENUE, McALLEN, TX 78501 or by calling (956) 681-1130 or by e-mailing your request to one of the following e-mail addresses: (szamora@mcallen.net), (agarcia@mcallen.net) .

Be advised that if your company **downloaded the documents from the web page and is contemplating on responding to these SOQ you must register** with the Purchasing and Contracting Department, so that any changes/additions via Addendum form can be forwarded to your company. (Register with the Purchasing & Contracting Department by phone, fax, or e-mail. Please include your company name, address, phone and fax number, as well as, contact person).

Hand Deliver RFQ's to: 1300 Houston Ave., McAllen, TX 78501
Mail RFQ's to: P.O. Box 220, McAllen, TX 78505-0220

Any informational questions for this project may be directed to Teresa Morales, AIA, City Architect, Engineering Department by calling (956) 681-1180.

Statements of Qualification received past the aforementioned deadline shall not be considered. The owner will evaluate the Statements of Qualifications of the firms on the basis of technical ability, experience, and ability to perform the work.

Envelopes must be clearly marked: **PROJECT NO.: 03-09-S28-131
ARCHITECTURAL DESIGN SERVICES FOR TRAFFIC
OPERATIONS FACILITY IMPROVEMENTS**

CITY OF McALLEN INSTRUCTIONS TO RESPONDENTS

Please read your requirements thoroughly and be sure that the SOQ/Proposal offered complies with all requirements/specifications noted. Any variation from the solicitation requirements/specifications must be clearly indicated by letter, on a point by point basis, attached to and made a part of your SOQ/Proposal. If no exceptions are noted, and you are the successful respondent, it will be required that the service(s) be provided as specified.

PURPOSE

- (1) The purpose of these requirements and proposal documents is to award a Professional Services Contract for:

ARCHITECTURAL DESIGN SERVICES FOR TRAFFIC OPERATIONS FACILITY IMPROVEMENTS

INTENTION

- (2) The services to be provided under this SOQ/Proposal shall be in accordance with and shall meet all specifications and/or requirements as shown in this Statement of Qualification (SOQ). There is no intention to disqualify any respondent who can meet the requirements.

SUBMITTAL OF SOQ/PROPOSAL

- (3) SOQs shall be submitted in sealed envelopes upon the blank form of SOQ attached hereto. Each SOQ must be completely filled out. Respondent shall submit four (4) copies. (One (1) original marked “**ORIGINAL**,” and three (3) copies marked “**COPY 1, COPY 2, etc. etc...**” of their response, complete with all supporting documentation.) SOQs submitted by facsimile (fax) or electronically shall **NOT** be accepted. Submittal of an SOQ in response to this solicitation for Statements of Qualification (SOQ) constitutes an offer by the respondent. Once submitted SOQs, become the property of the City of McAllen and as such the City reserves the right to use any ideas contained in any proposal regardless of whether that respondent/firm is selected. Submission of a proposal in response to this solicitation, by any respondent, shall indicate that the respondent(s) has/have accepted the conditions contained in the SOQ, unless clearly and specifically noted in the SOQ submitted and confirmed in the contract between the City and the successful respondent otherwise. SOQs which do not comply with these requirements may be rejected at the option of the City. **SOQs** must be filed with the City of McAllen before the deadline day and hour. No late **SOQs** will be accepted. They will be returned to respondent unopened (if properly identified). Failure to meet SOQ requirements may be grounds for disqualification.

Hand-deliver Bids: 1300 Houston Avenue, Purchasing & Contracting Department (3rd Floor)

If using Land Courier (i.e., FedEx, UPS): 1300 Houston Avenue, Purchasing & Contracting Department (3rd Floor), McAllen, Texas 78501

Mail Bids: P.O. Box 220, McAllen, TX 78505-0220

TIME ALLOWED FOR ACTION TAKEN

- (4) The City of McAllen may hold SOQ/Proposals **90** days after proposal deadline without taking action. Respondents are required to hold their SOQ/Proposals firm for same period of time.

INSTRUCTIONS TO RESPONDENTS Continued:

RIGHT TO REJECT/AWARD

- (5) The City of McAllen reserves the right to reject any or all SOQs, to waive any or all formalities or technicalities, and to make such awards of contract as may be deemed to be the best and most advantageous to the City of McAllen.

ASSIGNMENT

- (6) Respondent's are advised that the City of McAllen shall not allow the successful respondent to sell, assign, transfer, or convey any part of any contract resulting from this RFSOQs in whole or in part, to a third party without the written approval of the Purchasing and Contracting Department for the City of McAllen.

AWARD

- (7) Respondents are advised that the City of McAllen is soliciting Statements of Qualifications in compliance with Government Code 2254 "Procurement of Professional Services Act" and award shall be made to the respondent that in the opinion of the City of McAllen is the best and most advantageous.

STATUTORY REQUIREMENTS

- (8) It shall be the responsibility of the successful respondent to comply with all applicable State & Federal laws, Executive Orders and Municipal Ordinances, and the Rules and Regulations of all authorities having jurisdiction over the work to be performed hereunder and such shall apply to the contract throughout, and that they will be deemed to be included in the contract as though written out in full in the contract documents.

RESPONDENT'S EMPLOYEES

- (9) Neither the respondent nor his/her employees engaged in fulfilling the terms and conditions of this Professional Services Contract shall be considered employees of the City. The method and manner of performance of such undertakings shall be under the exclusive control of the selected vendor placed on contract. The City shall have the right of inspection of said undertakings at any time.

RIGHT TO AUDIT

- (10) The City of McAllen reserves the right to audit the service provider's books and records relating to the performance of this contract. The City of McAllen, at its own expense, shall have the right at all reasonable times during normal business hours and upon at least twenty-four (24) hours' advance notice, to audit, to examine, and to make copies of or extracts from the books of account and records maintained by the service provider with respect to the Service Contract. If such audit shall disclose overpayment by City to service provider, written notice of such overpayment shall be provided to the service provider and the amount of overpayment shall be promptly reimbursed by the service provider to the City. In the event any such overpayment is not paid within ten (10) business days after receipt of such notice, the unpaid amount of such overpayment shall bear interest at the rate of one percent (1%) per month from the date of such notice until paid.

PAST PERFORMANCE

- (11) Respondent's past performance shall be taken into consideration in the evaluation and award of "Service Contract".

INSTRUCTIONS TO RESPONDENTS Continued:

JURISDICTION

- (12) Service Contract executed as part of this solicitation shall be subject to and governed under the laws of the State of Texas. Any and all obligations and payments are due and performable and payable in Hidalgo County, Texas.

VENUE

- (13) The parties agree that venue for purposes of any and all lawsuits, cause of action, arbitration, and/or any other dispute(s) shall be in Hidalgo County, Texas.

CONFLICT OF INTEREST

- (14) Respondents are advised that they must be in compliance with the below mentioned law:

CHAPTER 176 OF THE TEXAS LOCAL GOVERNMENT CODE

Effective January 1, 2006, Chapter 176 of the Texas Local Government Code requires that any vendor or person considering doing business with a local government entity disclose in the Questionnaire Form CIQ, the vendor or person's affiliation or business relationship that might cause a conflict of interest with a local government entity. By law, this questionnaire must be filed with the records administrator of the City of McAllen not later than the 7th business day after the date the person becomes aware of facts that require the statement be filed. See Section 176.006, Local Government Code. A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor. For more information or to obtain Questionnaire CIQ go to the Texas Ethics Commission web page at www.ethics.state.tx.us/forms/CIQ.pdf.

IF YOU HAVE ANY QUESTIONS ABOUT COMPLIANCE, PLEASE CONSULT YOUR OWN LEGAL COUNSEL. COMPLIANCE IS THE INDIVIDUAL RESPONSIBILITY OF EACH PERSON OR AGENT OF A PERSON WHO IS SUBJECT TO THE FILING REQUIREMENT. AN OFFENSE UNDER CHAPTER 176 IS A CLASS "C" MISDEMEANOR.

INSURANCE

- (15) During the term of the Agreement, the successful respondent shall maintain for the duration of the contract period the following insurances:
- a. **Professional Liability Insurance** coverage of at least \$1,000,000 on a "Claims Made Basis". This coverage shall remain in effect for a two (2) year period following the expiration of the contract with the City.
 - b. General Liability and Property Damage Insurance, with limits of One Million dollars (\$1,000,000).
 - c. Worker's Compensation Insurance.
 - d. Agrees to name the City of McAllen as an additional insured in said policy, and shall give the City at least a thirty (30) days notice of any material change in and/or cancellation and/or non-renewals of such policies.

INSTRUCTIONS TO RESPONDENTS Continued:

CONFIDENTIALITY OF INFORMATION AND SECURITY

- (16) Should the successful respondent become the holder of and have access to confidential information in the process of fulfilling its responsibilities in connection with an awarded contract the successful respondent agrees that it shall keep such information confidential and will comply fully with the laws and regulations of the State of Texas, ordinances and regulations of the City, and any applicable federal laws and regulations relating to confidentiality.

TERMINATION CLAUSE

- (17) The City of McAllen, reserves the right to terminate this contract upon a 30-day written notice to the successful respondent for failure of acceptable performance.

**STATEMENT OF QUALIFICATIONS
FOR
DESIGN SERVICES FOR TRAFFIC OPERATIONS FACILITY IMPROVEMENTS
MCALLEN, TEXAS**

I. Purpose

The City of McAllen, Texas is seeking Statements of Qualifications from experienced firms for professional services in design, preparation of contract documents, and construction administration services for projects designed and directed by the office of the City Architect. Be advised that the City expects to utilize a pre-engineered/manufactured structure as the major component to the stated improvements.

Please limit your responses to 15 pages.

II. Services Required

The selected Firm/Team shall be requested to assist City personnel during the Schematic and Design Development Phase to determine the appropriate functional design, determine appropriate construction systems, selection of equipment/materials, and to prepare project budgets. The Firm selected shall be expected to provide full-services by developing contract drawings and specifications as well as observe the construction activities during the Construction Administration Phase.

A thorough knowledge of all applicable codes as well as material and construction cost estimating is required. The firm selected must also have sufficient experienced staff and a workload (free from constraints) to produce production documents in a timely manner at the time services are requested.

The selected respondent must successfully demonstrate their capability to function as both a designer and implementer. Responses to this RFSOQ should contain sufficient information to demonstrate qualifications and experiences and cite previous examples of success.

III. Proposal Requirements

SOQs MUST give full firm name and address of respondent, and be manually signed. Failure to do so will disqualify your SOQ. Person signing the submittal/response must show title or AUTHORITY TO BIND HIS/HER FIRM IN A CONTRACT. Firm name and authorized signature must appear on each page that calls for this information. The legal status of the Respondent whether corporation, partnership, or individual, shall also be stated in the SOQ. A corporation shall execute the SOQ by its duly authorized officers in accordance with its corporate by-laws and shall also list the state in which it is incorporated. A partnership Respondent shall give full names and addresses of all partners. All partners shall execute signatures on the submittal/response. Partnership and Individual Respondent/Bidder shall state in the proposal the names and addresses of all persons with a vested interest therein. The place of residence of each Respondent, or the office address in the case of a firm or company, with county and state and telephone number, shall be given after the signature

STATEMENT OF QUALIFICATIONS FOR DESIGN SERVICES FOR TRAFFIC OPERATIONS FACILITY IMPROVEMENTS MCALLEN, TEXAS Continued:

Each response must address, but is not limited to, the following issues:

1. Firm name, including the address, phone number, and contact person(s) of all firm offices, identifying in which office the work will be performed.
2. Names of principals in the firm, position, phone, and fax numbers; Specify number years their firm has been in business.
3. Number of staff by discipline in the office that will be working on project and copies of their resumes.
4. List at least three related projects with contract dates and contract values, names, addresses and phone numbers of representatives of these municipal, institutional, or private projects who can be contacted as references. Letter of reference may be included.
5. A description of the current workload being carried by the team members proposed for this project.
6. DBE/MBE/WBE status of firm if applicable.
7. Listing of all pending litigation against or involving the firm or its agents or employees with respect to any work performed.
8. Amount of professional liability insurance coverage carried by your firm.
9. Name and phone number of person to contact at the banking institution where your firm does business.
10. Any other items, which consultant deems necessary.

IV. **Key Personnel Experience**

1. Identify and provide a detailed resume for the proposed project manager of this assignment, including full work history, special qualifications and demonstrated experience.
2. Provide resumes for each member of your staff or team members proposed to be assigned to this project.
3. Describe the firm's or team's management structure for this project with clear identification of the specific services each staff assigned to this project will provide.

V. **Evaluation Process**

After the deadline for receipt of responses, an evaluation committee will review all proposals utilizing the evaluation criteria noted below. The evaluation committee will be made up of representatives of the following: City Architect's Office, Engineering Department, Traffic Operations Department, and the City Manager's Office. The evaluation committee shall evaluate and numerically score each SOQ in accordance with the criteria listed.

Based on this Committee's review, it is expected that several firms will be short-listed for further consideration, and may be required to submit supplemental information. Additionally, upon the selection of three to five top-ranking *firms and/or teams* which appear to be the best qualified, relative to the evaluation criteria listed below, the City Manager and/or committee members may require the highest ranked candidates to make a formal detailed presentation before the committee and/or to our City Commission. Firms will then be ranked according to qualifications and the interview/presentation.

STATEMENT OF QUALIFICATIONS FOR DESIGN SERVICES FOR TRAFFIC OPERATIONS FACILITY IMPROVEMENTS MCALLEN, TEXAS Continued:

During the presentation candidate firms shall be required to: 1) demonstrate their familiarity with and knowledge of the project scope and limits, including existing features and constraints; 2) offer any insights they may have regarding issues or problems that they believe will need to be considered; 3) suggest any innovative approaches they might have with respect to planning/design processes; 4) suggest possible technical solutions to problems inherent in this project; and 5) define why they believe their firm should be engaged.

Upon award by the City Commission, a contract containing a fee proposal shall be incorporated into the contract with the selected firm. The City reserves the right to enter into negotiations if deemed necessary. If negotiation efforts are successful, a contract will be executed with the firm for the required services. If negotiations are unsuccessful, the City will terminate negotiation efforts formally and reserves the right to open negotiations with the second ranked firm. This process will continue until negotiation efforts are successful. The City Commission's choice shall be final.

VI. Evaluation Criteria

Evaluation of consultants will be completed by a selection committee on the basis of the submitted SOQ. The selection committee shall evaluate and numerically score each SOQ in accordance with the criteria and point value listed below. Points for each criterion may be awarded from zero to the highest point value indicated. Failure to provide any item will result in zero points being awarded for stated criterion.

1. Capability to immediately perform all the services required (0-10 Points).
2. Demonstrated competence on previous small-scale projects completed for the City of McAllen (0-5 Points)
3. Reputation for personnel, professional integrity and competence (0-10 Points).
4. Evidence that consultant has established and implemented an Affirmative Action Program and/or are certified as a Minority Business Enterprise (MBE)/Disadvantage Business Enterprise (DBE) / Women Business Enterprise (WBE) (0-5 Points).
5. Key personnel's professional background, caliber, and availability for the proposed project(s) (0-10 Points).
6. Current workload (0-5 Points).
7. Capacity to conduct value engineering studies (0-10 Points).
8. Demonstrated ability to meet schedules and deadlines (0-5 Points).
9. Capacity to complete projects without having major cost escalations or overruns (0-10 Points).
10. Degree of interest shown in undertaking the project (0-5 Points).
11. Capacity to furnish qualified personnel for the construction administration phase (0-10 Points).
12. Familiarity with proximity of the geographical location of the project. (0-5 Points)
13. Knowledge of applicable (if any) federal, state and local regulations, policies and procedures. (0-10 Points)

STATEMENT OF QUALIFICATIONS FOR DESIGN SERVICES FOR TRAFFIC OPERATIONS FACILITY IMPROVEMENTS MCALLEN, TEXAS Continued:

VII. Contract Award

The City does not guarantee that a contract will be awarded as a result of the RFSOQ. In the event that a contract award is made, but the contract is not executed, the City does not guarantee that the contract will be re-awarded.

VIII. Clarification of Requirements

All requests for additional information or clarification concerning this SOQ must be submitted in writing no later than five (5) business days prior to the SOQ closing date and addressed to:

Sandra Zamora, Director of Purchasing & Contracting
City of McAllen
1300 Houston
P.O. Box 220
McAllen, TX 78505-0220
Email: szamora@mcallen.net
Fax (956) 681-1138

IX. Response Deadline

Responses to the RFSOQ must be addressed to Mike R. Perez, City Manager, City of McAllen and received at the Purchasing and Contracting Department, (3rd Floor) (City Hall), 1300 Houston (P. O. Box 220, McAllen, TX 78505-0220), McAllen, TX 78501, by **March 27, 2009 at 4:00 p.m.** for consideration. Three (3) complete sets of the response no larger than 15 bound pages must be submitted no later than this date and time in a sealed envelope indicating that its contents are in response to the Request for Statements of Qualifications, refer to Instructions to Respondents for labeling instructions.

SOQs shall be accepted in person, by United States Mail, or by private courier service. No SOQs will be accepted by oral communication, telephone, electronic mail, telegraphic transmission, or facsimile transmission. SOQs may be withdrawn prior to the above scheduled time set for closing. Alterations made before SOQ closing must be initiated by respondents guaranteeing authenticity.

Hand-deliver Bids: 1300 Houston Avenue, Purchasing & Contracting Department (3rd Floor)
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Texas 78501
Mail Bids: P.O. Box 220, McAllen, TX 78505-0220

STATEMENT OF QUALIFICATIONS FOR DESIGN SERVICES FOR TRAFFIC OPERATIONS FACILITY IMPROVEMENTS MCALLEN, TEXAS Continued:

X. Addenda and Modifications

Any changes, additions, or clarifications to the SOQ are made by amendments (addenda). Any respondent in doubt as to the true meaning of any part of the SOQ or other documents may request an interpretation from the Purchasing and Contracting Department. At the request of the respondent, or in the event the Purchasing and Contracting Department deems the interpretation to be substantive, the interpretation will be made by written addendum issued by the Purchasing and Contracting Department. Such addendum will be sent to all respondents receiving the original SOQ and will become part of the SOQ package having the same binding effect as provisions of the original SOQ. No verbal explanations or interpretations will be binding. In order to have a request for interpretation considered, the request must be submitted in writing and must be received by the City of McAllen Purchasing and Contracting Department no later than five (5) days prior to the SOQ closing date. The City does not assume responsibility for the receipt of any addendum sent to respondents.

XI. Statement of Qualifications Preparation Costs

Issuance of this SOQ does not commit the City of McAllen, in any way, to pay any costs incurred in the preparation and submission of an SOQ. All costs related to the preparation and submission of this SOQ shall be borne by the respondent.

XII. Anti-Lobbying Provision

During the period between SOQ submission date and the contract award, respondents, including their agents and representatives, shall not directly discuss or promote their SOQ with any member of the McAllen City Commission or City staff except in the course of City-sponsored inquiries, briefings, interviews, or presentations. Violation of this provision may result in the rejection of the respondent's SOQ.

XIII. Authorization to Bind Respondent to Statement of Qualifications

SOQs MUST give full firm name and address of respondent, and be manually signed. Failure to do so will disqualify your SOQ. Person signing bid must show title or AUTHORITY TO BIND HIS/HER FIRM IN A CONTRACT. Firm name and authorized signature must appear on each page that calls for this information. The legal status of the Respondent whether corporation, partnership, or individual, shall also be stated in the SOQ. A corporation shall execute the SOQ by its duly authorized officers in accordance with its corporate by-laws and shall also list the state in which it is incorporated. A partnership Respondent shall give full names and addresses of all partners. All partners shall execute the proposal. Partnership and Individual Respondent/Bidder shall state in the proposal the names and addresses of all persons with a vested interest therein. The place of residence of each Respondent, or the office address in the case of a firm or company, with county and state and telephone number, shall be given after the signature.

Failure to manually sign the SOQ will disqualify it.

STATEMENT OF QUALIFICATIONS FOR DESIGN SERVICES FOR TRAFFIC OPERATIONS FACILITY IMPROVEMENTS MCALLEN, TEXAS Continued:

XIV. Confidential Information

Any information deemed to be confidential by the respondent should be clearly noted on the pages 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 Texas Public Information Act, since information deemed to be confidential by the respondent may not be considered confidential under Texas Law, or pursuant to a Court order.

THE CITY OF MCALLEN RESERVES THE RIGHT TO REFUSE AND REJECT ANY OR ALL SOQ'S, AND TO WAIVE ANY OR ALL FORMALITIES OR TECHNICALITIES, AND TO MAKE SUCH AWARDS OF CONTRACT AS MAY BE DEEMED TO BE THE BEST AND MOST ADVANTAGEOUS TO THE CITY OF MCALLEN.

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