

REQUEST FOR QUALIFICATIONS FOR CAMPUS MASTER PLANNING SERVICES

**SUL ROSS STATE UNIVERSITY
ALPINE, TEXAS**



SUL ROSS STATE UNIVERSITY CAMPUS MASTER PLAN

RFQ No.:

758-10-07005

Submission Date:

January 12, 2010, 5:00 p.m. (Central Standard Time)

Prepared By:

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**REQUEST FOR QUALIFICATIONS FOR
CAMPUS MASTER PLANNING SERVICES
SUL ROSS STATE UNIVERSITY
Alpine, Texas
Sul Ross State University Campus Master Plan
RFQ No.: 758-10-07005**

SECTION 1 – GENERAL INFORMATION & REQUIREMENTS

- 1.1 **GENERAL INFORMATION:** The Texas State University System (“Owner”) and Sul Ross State University are soliciting Statements of Qualifications for selection of a facilities planning firm (“Master Planner”) to undertake the Sul Ross State University Campus Master Plan Project (“Project”) in accordance with the terms, conditions, and requirements set forth in this Request for Qualifications (RFQ). The Owner is interested in selecting a firm that has direct experience in the master planning of facilities for institutions of higher education.
- 1.1.1 Collecting Statements of Qualifications in response to this RFQ is the first step in selecting a Master Planner. This RFQ provides the information necessary for respondents to prepare and submit Statements of Qualifications for consideration and initial ranking by the Owner. In the next step the Owner will determine an initial ranking of the respondents. If the initial ranking of the respondents is reasonably conclusive, the Owner may make a “most qualified” selection based upon the written Qualifications only. If not, then the Owner may conduct interviews with a “short list” of respondents.
- 1.1.2 The Owner may select up to five (5) of the top ranked qualified respondents to participate in an interview with the Owner to confirm and clarify the qualifications submitted and to answer additional questions. The Owner will then rank the interviewed respondents in order to determine a single most qualified respondent.
- 1.1.3 After selecting the most qualified respondent the Owner will negotiate the detailed professional services to be provided by the Master Planner and a suitable fee for those services.
- 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. The Owner strictly complies with all statutes, court decisions, and opinions of the Texas Attorney General with respect to disclosure of RFQ information.
- 1.3 **TYPE OF CONTRACT:** Any contract resulting from this solicitation will be in the form of the Owner’s Standard Campus Master Planning Agreement, a copy of which will be provided to all firms selected for interviews or, in the case where no interviews are conducted, to the selected most qualified respondent.
- 1.4 **CLARIFICATIONS AND INTERPRETATIONS:** Any clarifications or interpretations of this RFQ that materially affect or change its requirements will be posted by the Owner as an addendum on all media channels where it was initially advertised. 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 RFQ, and respondents shall acknowledge receipt of

and incorporate each addendum in its Qualifications. Respondents shall consider only those clarifications and interpretations that the Owner issues by addenda five (5) 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 Qualifications.

1.5 SUBMISSION OF QUALIFICATIONS:

1.5.1 DEADLINE AND LOCATION: The Owner will receive Qualifications for RFQ No. 758-10-07005 at the time and location described below.

January 12, 2010, 5:00 p.m. (Central Standard Time)

Sul Ross State University
Jim Clouse, Associate Vice President of Facilities Planning, Construction and Operations
US Hwy 90, Briscoe Administration Building, Room 206
BOX C-117
Alpine, Texas 79832

1.5.2 Submit (6) **six** identical copies of the Qualifications. An original signature must be included on the "Respondent's Statement of Qualifications and Ability to Undertake the Project" document submitted with each copy.

1.5.3 Qualifications received after the deadline in 1.5.1 will be returned to the respondent unopened.

1.5.4 The Owner will not acknowledge or consider Qualifications that are delivered by telephone, facsimile (fax), or electronic mail (e-mail).

1.5.5 Properly submitted Qualifications will not be returned to respondents.

1.5.6 Qualifications materials must be enclosed in a sealed envelope (box or container) addressed to the Point-of-Contact person; the package must clearly identify the submittal deadline, the RFQ number, and the name and return address of the respondent.

1.6 POINT-OF-CONTACT: The Owner designates the following person as its representative and Point-of-Contact for this RFQ. Respondents shall restrict all contact with the Owner and direct all questions regarding this RFQ, including questions regarding terms and conditions and technical specifications, to the Point-of-Contact person.

Jim Clouse, Associate Vice President of Facilities Planning, Construction and Operations
Sul Ross State University
US Hwy 90, Briscoe Administration Building, Room 206
BOX C-117
Alpine, Texas 79832
Phone: (432) 837-8777 Fax: (432) 837-8905
e-mail: jclouse@sulross.edu

1.7 EVALUATION OF QUALIFICATIONS: The evaluation of the Qualifications shall be based on the requirements described in this RFQ. All properly submitted Qualifications will be reviewed, evaluated, and ranked by a Selection Committee appointed by the President of Sul Ross State

University. Typically, that committee will contain both future users of the facilities developed by the Project and by facilities professionals, including representation from the TSUS System Office. The top five or fewer ranked respondents may be selected by the Owner for further consideration by participating in an interview wherein qualifications will be presented and examined in further detail and where questions will be posed by the Selection Committee and answered by the respondent.

- 1.7.1 Qualifications submittals should not include any information regarding respondent's proposed fees, pricing, or other compensation considerations as these will not be a factor in the selection of the best qualified firm.
- 1.8 OWNER'S RESERVATION OF RIGHTS: The Owner may evaluate the Qualifications 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 Qualifications and re-solicit for new Qualifications, or to reject any and all submissions 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 RFQ for any project and no such representation is intended or should be construed by the issuance of this RFQ.
- 1.9 ACCEPTANCE OF EVALUATION METHODOLOGY: By submitting its Qualifications in response to this RFQ, respondent accepts the evaluation process and acknowledges and accepts that determination of the "most qualified" firm(s) will require subjective judgments by the Owner.
- 1.10 NO REIMBURSEMENT FOR COSTS: Respondent acknowledges and accepts that any costs incurred from the respondent's participation in this RFQ shall be at the sole risk and responsibility of the respondent.
- 1.11 PRE-SUBMITTAL CONFERENCE: There will be no pre-submittal conference conducted for this selection process.
- 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 Qualification.
- 1.13 HISTORICALLY UNDERUTILIZED BUSINESSES' SUBMITTAL REQUIREMENTS: It is the policy of TSUS and each of its component institutions, to promote and encourage contracting and subcontracting opportunities for Historically Underutilized Businesses (HUB) in all contracts. Accordingly, specific plans and representations by respondents that appear to facilitate the State's commitment to supporting HUB enterprises will be favorably considered in the selection process. Failure to submit specific plans and representations regarding HUB utilization, and failure to address the subject at all, will be interpreted by the Selection Committee as an intention to not support the program. The HUB Plan can be found on the TSUS website at: <http://www.tsus.edu/publication/HUB%20Plan%20Construction%202009.11.11.pdf> . The Policy applies to all contracts with an expected value of \$100,000 or more.
- 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 TSUS. 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 contractor agrees that each subcontractor and supplier under contract will also provide a certification of franchise tax status.
- 1.17 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.
- 1.18 STATE REGISTRATION OF ENGINEERING FIRMS: Respondents are advised that the Texas Board of Professional Engineers requires that any entity providing engineering services to the public must register with the Texas Board of Professional Engineers. An entity is defined as a sole proprietorship, firm, partnership, corporation or joint stock association.
- 1.19 STATE REGISTRATION OF ARCHITECTURAL FIRMS: Respondents are advised that the Texas Board of Architectural Examiners requires that any entity (including architects, landscape architects and interior designers) providing architectural services (including architects, landscape architects and interior designers) to the public must register with the Texas Board of Architectural Examiners. An entity is defined as a sole proprietorship, firm, partnership, corporation or joint stock association.

SECTION 2 – EXECUTIVE SUMMARY

2.1 HISTORICAL BACKGROUND:

Sul Ross State University, located in Alpine in Brewster County, was created by an act of the 35th Legislature in 1917 as a state normal college to train teachers. Named for Lawrence Sullivan Ross, governor of Texas from 1887 to 1891 and president of Texas A&M College from 1891 to 1898, the institution was the successor to Alpine Summer Normal School.

The bill creating the institution provided that the residents of the town would provide land, water and utilities for the college and housing for the students. This condition was met, and following a delay occasioned by World War I, the Legislature in 1919 appropriated \$200,000 for buildings and equipment. Construction proceeded, and under the presidency of Thomas J. Fletcher, Sul Ross State Normal College began operations in the present Dolph Briscoe Jr. Administration Building on June 14, 1920.

Seventy-seven students enrolled in the summer of 1920. They studied education and liberal arts subjects leading to teaching certificates and junior college diplomas. In 1923, the Legislature changed the name of the institution to Sul Ross State Teachers College, and advanced courses leading to baccalaureate degrees were added. The first baccalaureate degree was awarded in the summer of 1925. In 1930, course work at the graduate level was initiated, and the first master's degrees were awarded in 1933. By 1985, 10,925 bachelor's degrees and 4,862 master's degrees had been conferred.

Under the leadership of President Horace W. Morelock from 1923 to 1945, the curriculum was expanded, additional academic buildings and dormitories were constructed, the college was admitted into membership in the Southern Association of Colleges and Secondary Schools and enrollment increased to approximately 500 students. A decline in enrollment during World War II threatened the continued operation of the college but was offset by the establishment of a successful U.S. Navy pilot training program and a Women's Army Corps Training School on campus, bringing more than 1,500 military trainees and officers to Sul Ross.

Following the war, the return of veterans increased the annual enrollments and prompted the expansion of the curriculum. Richard M. Hawkins became president in 1945, and the college was reorganized into divisions of Fine Arts, Language Arts, Science, Social Science, Teacher Education and Vocations. Then in 1949, in recognition of the broadened mission of the institution to prepare students for a variety of careers and occupations, the name was changed to Sul Ross State College.

The enrollment grew to more than 1,000 in 1960 and to over 2,000 in 1970. During the presidencies of Bryan Wildenthal and Norman L. McNeil between 1952 and 1974, the academic programs continued to be strengthened; new fine arts, physical education, science and range animal science buildings and a new library were constructed; and several new degree programs were begun.

In 1969, the Legislature again changed the name of the institution, this time signifying full state university status by the name -- Sul Ross State University. The 1970s were years of stable or declining enrollments caused by the opening of several new colleges in West Texas. The general education requirements were revised; new degree programs were added in criminal justice, business administration, and geology; an off-campus study center was established on the campus of Southwest Texas Junior College in Uvalde to provide opportunities for residents of the Uvalde, Del Rio, and Eagle Pass areas to pursue upper-level and graduate work in teacher education and business administration; the Legislature appropriated more than \$10,000,000 to renovate and modernize the academic buildings; and personnel changes brought to the university a new

generation of faculty, consisting, in 1985, of approximately 100 persons of whom 74 percent held the doctorate.

Early in its history, Sul Ross became the cultural and educational center for the mountainous, remote Big Bend region. The state-supported Museum of the Big Bend was established in the 1930s as a depository for materials which depict the multicultural society and history of the Big Bend region, and in 1976, the Archives of the Big Bend in the Bryan Wildenthal Memorial Library was organized to provide a permanent depository and research facility for regional manuscript collections.

In its eighth decade, the university promotes scientific research in biology, geology, and range animal science, with particular emphasis on Chihuahuan Desert studies, and is involved in cooperative projects with the private non-profit Chihuahuan Desert Research Institute. Through the university's Center for Big Bend Studies, research and educational activities are conducted in the historical, cultural and economic development of the Trans-Pecos region and adjacent areas in Mexico and New Mexico.

The Outdoor Summer Theatre of the Big Bend performs for hundreds of visitors each year, and musical productions and athletic events are popular attractions. The university was a founding member of the non-scholarship American Southwest Conference and was the birthplace of the National Intercollegiate Rodeo Association.

The governing body of the university is the Board of Regents of The Texas State University System.

Eleven men have served as president of Sul Ross: Thomas Fletcher, Robert L. Marquis, Horace W. Morelock, Richard M. Hawkins, Bryan Wildenthal, Norman L. McNeil, Hugh E. Meredith, C. R. "Bob" Richardson, Jack W. Humphries, R. Vic Morgan, and Ricardo Maestas, who assumed the office in November 2009.

2.2 VISION STATEMENT:

Sul Ross State University continues to create an atmosphere conducive to the free exchange of ideas and to foster an appreciation for cultural diversities. A vision of continued growth and expansion of the university population and facilities remains at the forefront. By offering functional green buildings, outdoor learning opportunities, controlled deferred maintenance program activities, and maximizing energy savings through alternative and renewable energy sources, the University hopes to make this vision a reality.

2.3 MISSION STATEMENT:

The ultimate goal of higher education is to produce graduates who will be effective leaders in their chosen professions, valued members of their communities, and responsible citizens of the world.

As a coeducational, comprehensive, public institution of higher education offering certificate programs and associate, baccalaureate, and master's degree programs, the mission of Sul Ross State University and Sul Ross State University-Rio Grande College is to include the following structure in all of its academic programs:

From the core curriculum, students will acquire a common set of intellectual, physical, and aesthetic experiences designed to foster a broad appreciation for the human experience. Graduates will be expected to demonstrate the critical thinking skills, oral and written communication skills, and quantitative literacy that will be required for them to become effective leaders. Moreover, graduates will possess the in-depth knowledge necessary to either enter professions that are related to their areas of specialization, to achieve advanced levels of professional development, or to enter and success fully complete graduate programs of study.

As part of their education, students will develop qualities of good citizenship, including an appreciation for and commitment to performing their work conscientiously; learning to recognize, respect and understand cultural diversity; and learning to recognize the implications of what they believe. Most importantly, they will acquire the skills and techniques which enable them to engage in self-learning, and spirit of intellectual curiosity leading to independent and purposeful life-long learning.

In order to guarantee that this mission is carried out in the spirit of the goals of higher education, Sul Ross State University has three major functions:

- To enable optimal teaching and learning through quality faculty and staff, exceptional facilities, technology, and instructional resources, and effective student support services.
- To support research which advances knowledge, enriches teaching, encourages professional development, and utilizes the distinctive environment of the Big Bend and Middle Rio Grande areas of Texas; and
- To serve as a resource for enrichment of the cultural, intellectual, social and economic life of citizens of the region.

2.4 DESCRIPTION, SCOPE AND BUDGET: In general, the completed Campus Master Plan will include as a minimum the elements listed below. The final scope of services for the Master Planner, along with a detailing of the services and effort to be provided by the Owner, will be the subject of a negotiation. That negotiation will take place after the selection of the most qualified respondent, but before the signing of any contractual agreement:

Demographic Analysis
Programming/Space Projections
Environmental Analysis (Natural/Built)
Context Analysis (local and regional history and background)
Facility Use and Condition Assessment
Historic Facility Survey
Site Surveys
Building and Land Use Plan (near term and long-range)
Demolition or Deferred Maintenance
Open Space and Landscape Plan
Transportation and Parking
Utilities Infrastructure
Technologies Infrastructure
Adjacent Land Use Analysis
Land Acquisition and Disposition Strategy
Environmental Impact Statement
Safety and Security Plan

Economic Impact Analysis
Way-finding and Signage Plan
Guidelines:

Buildings
Landscape
Infrastructure
Historic Structures

Implementation Plan (with cost estimates and phasing plan)

The scope of the Master Planner's work will include a presentation to the TSUS Board of Regents.

2.5 PROJECT PLANNING SCHEDULE: Key Project schedule milestones (subject to change without notice) are as follows:

▪ Owner receives Request For Qualifications	1/12/2010
▪ Owner announces "short list" of firms selected for interviews	2/2/2010
▪ Owner complete interviews for short list of respondents	2/12/2010
▪ Owner selects most qualified respondent	2/19/2010
▪ Owner negotiates fee and executes Agreement	2/26/2010
▪ Project begins	2/26/2010
▪ Interim briefing - Planning & Construction Committee	8/19/2010
▪ Proposed final draft of Master Plan issued	9/23/2010
▪ Comments from TSUS	10/7/2010
▪ Final draft of Master Plan issued	10/28/2010
▪ Plan approved by TSUS Board of Regents	11/18/2010

SECTION 3 – REQUIREMENTS FOR STATEMENT OF QUALIFICATIONS

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

3.1 CRITERION ONE: RESPONDENT'S STATEMENT OF QUALIFICATIONS AND AVAILABILITY TO UNDERTAKE THE PROJECT (Maximum of two (2) printed pages per question)

- 3.1.1 Provide a statement of interest for the project including a narrative describing the Prime Firm's and Project Team's unique qualifications as they pertain to this particular project.
- 3.1.2 Provide a brief history of the Prime Firm and each consultant proposed for the project.
- 3.1.3 Provide a graphic representation of the project team, identifying the Prime Firm and each consultant proposed for the project.
- 3.1.4 Provide a statement on the availability and commitment of the Prime Firm and its principal(s) and assigned professionals to undertake the project.

3.2 CRITERION TWO: PRIME FIRM'S ABILITY TO PROVIDE SERVICES

3.2.1 Provide the following information for the Prime Firm:

- Legal name of the company as registered with the Secretary State of Texas
- Address of the office that will be providing services
- Number of years in business
- Type of Operation (Individual, Partnership, Corporation, Joint Venture, etc...)
- Number of Employees by skill group
- Annual revenue totals for the past ten (10) years

3.2.2 Provide the three (3) most recent audited financial statements documenting your firm's financial stability.

3.2.3 Is your company currently for sale or involved in any transaction to expand or to become acquired by another business entity? If yes, please explain the impact both in organizational and directional terms.

3.2.4 Provide any details of all past or pending litigation or claims filed against your company that would affect your company's performance under a Contract with the Owner.

3.2.5 Is your company currently in default on any loan agreement or financing agreement with any bank, financial institution, or other entity? If yes, 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.

3.3 CRITERION THREE: PROJECT TEAM'S ABILITY TO PROVIDE MASTER PLANNING SERVICES

3.3.1 Describe, in graphic and written form, the proposed project assignments and lines of authority and communication for principals and key professional members of the team that will be involved in the project. Indicate the estimated percent of time these individuals will be involved in the project.

3.3.2 Provide resumes giving the experience and expertise of the professional members for each person that will be involved in the project, including their experience with similar projects, the number of years with the firm, and their city of residence.

3.3.3 Clearly identify the members of the proposed team who worked on the listed projects in Criterion 3.4, and describe their roles in those projects.

3.3.4 Describe the basis for the selection of any proposed sub-consultants included in the master planning team and the role each will play for this project.

3.3.5 Describe the Prime Firm's process in working with consultants and integrating them into the master planning process.

3.4 CRITERION FOUR: RESPONDENT'S PERFORMANCE ON PAST REPRESENTATIVE PROJECTS

List a maximum of five (5) master planning projects for which you have provided services that are most related to this project. List the projects in order of priority, with the most relevant project listed first. Previous TSUS projects and/or any other state-funded projects or projects for institutions of higher education are preferred. Provide the following information for each project listed:

- Project name, location, and description
- General description of the scope of the master planning effort involved in the project, including gross square footage of improvements, infrastructure and other aspects of the plan
- Description of services Prime Firm provided for the project
- Name of Project Principal/Manager (individual responsible to the Owner for the overall success of the project)
- Name of Project Planner (individual responsible for coordinating the day to day work)
- Consultants

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

- The Owner's name and representative who served as the day-to-day liaison during the life of the project (include 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 RFQ process.

3.5 CRITERION FIVE: RESPONDENT'S KNOWLEDGE OF BEST PRACTICES

- 3.5.1 Describe your firm's philosophy, methodology, and process for master planning.
- 3.5.2 Describe your project team's demonstrated technical competence and qualifications with institutional planning projects, particularly those for higher education.
- 3.5.3 Describe your cost estimating methods for the projects included in a master plan. For any combination of three (3) projects listed in response to Criterion 3.4, provide examples of how these techniques were used.

3.6 CRITERION SIX: RESPONDENT'S APPROACH TO THIS CAMPUS MASTER PLAN

- 3.6.1 State your philosophy and practice concerning the use of existing Campus Master Plans in your own planning effort that will be expected to guide the campus development over the next 10-year period. The existing Master Plan can be viewed at: <http://www.sulross.edu/docs/facilities/master-plan-2000.pdf>.
- 3.6.2 Explain what you regard as key understandings between Owner and Planner and primary steps that will be taken by both to achieve a successful master planning effort.

- 3.6.3 Summarize the primary basic planning services that you plan to offer and those you hope to receive from the Owner during the planning effort.
- 3.6.4 Identify any key infrastructure elements (i.e. roads, utilities, etc.) that you think must be included in the Project and give some suggestion of the extent to which these elements should be studied as a part of the Project efforts.

3.7 CRITERION SEVEN: EXECUTION OF OFFER

NOTE TO RESPONDENTS: SUBMIT ENTIRE SECTION WITH RESPONSE.

THIS EXECUTION OF OFFER MUST BE COMPLETED, SIGNED, AND RETURNED WITH THE RESPONDENT'S QUALIFICATIONS. FAILURE TO COMPLETE, SIGN AND RETURN THIS EXECUTION OF OFFER WITH THE QUALIFICATIONS MAY RESULT IN REJECTION OF THE QUALIFICATIONS.

SIGNING A FALSE STATEMENT MAY VOID THE SUBMITTED QUALIFICATIONS OR ANY AGREEMENTS OR OTHER CONTRACTUAL ARRANGEMENTS, WHICH MAY RESULT FROM THE SUBMISSION OF RESPONDENT'S QUALIFICATIONS, AND THE RESPONDENT MAY BE REMOVED FROM ALL PROPOSER LISTS. A FALSE CERTIFICATION SHALL BE DEEMED A MATERIAL BREACH OF CONTRACT AND, AT OWNER'S OPTION, MAY RESULT IN TERMINATION OF ANY RESULTING CONTRACT OR PURCHASE ORDER.

- 3.7.1 By signature hereon, Respondent acknowledges and agrees that (1) this RFQ is a solicitation for Qualifications and is not a contract or an offer to contract; (2) the submission of Qualifications by Respondent in response to this RFQ will not create a contract between the Owner and Respondent; (3) the Owner has made no representation or warranty, written or oral, that one or more contracts with the Owner will be awarded under this RFQ; and (4) Respondent shall bear, as its sole risk and responsibility, any cost which arises from Respondent's preparation of a response to this RFQ.
- 3.7.2 By signature hereon, Respondent offers and agrees to furnish to the Owner the products and/or services more particularly described in its Qualifications, and to comply with all terms, conditions and requirements set forth in the RFQ documents and contained herein.
- 3.7.3 By signature hereon, Respondent affirms that he has not given, nor intends to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor or service to a public servant in connection with the submitted Qualifications.
- 3.7.4 By signature hereon, a corporate Respondent certifies that it is not currently delinquent in the payment of any Franchise Taxes due under Chapter 171, Texas Tax Code, or that the corporate Respondent is exempt from the payment of such taxes, or that the corporate Respondent is an out-of-state corporation that is not subject to the Texas Franchise Tax, whichever is applicable.
- 3.7.5 By signature hereon, the Respondent hereby certifies that neither the Respondent nor the firm, corporation, partnership or Owner represented by the Respondent, nor anyone acting for such firm, corporation, or institution has violated the antitrust laws of this state,

codified in Section 15.01, ET. seq., Texas Business and Commerce Code, or the Federal antitrust laws, nor communicated directly or indirectly the Qualifications made to any competitor or any other person engaged in such line of business.

3.7.6 By signature hereon, Respondent represents and warrants that:

3.7.6.1 Respondent is a reputable company regularly engaged in providing products and/or services necessary to meet the terms, conditions and requirements of the RFQ;

3.7.6.2 Respondent has the necessary experience, knowledge, abilities, skills, and resources to satisfactorily perform the terms, conditions and requirements of the RFQ;

3.7.6.3 Respondent is aware of, is fully informed about, and is in full compliance with all applicable federal, state and local laws, rules, regulations and ordinances;

3.7.6.4 All statements, information and representations prepared and submitted in response to this RFQ are current, complete, true and accurate. Respondent acknowledges that the Owner will rely on such statements, information and representations in selecting the successful Respondent. If selected by the Owner as the successful Respondent, Respondent will notify the Owner immediately of any material change in any matters with regard to which Respondent has made a statement or representation or provided information.

3.7.7 By signature hereon, Respondent certifies that the individual signing this document and the documents made part of the RFQ is authorized to sign such documents on behalf of the company and to bind the company under any agreements or other contractual arrangements, which may result from the submission of Respondent's Qualifications.

3.7.8 By signature hereon, Respondent certifies that if a Texas address is shown as the address of the Respondent, Respondent qualifies as a Texas Bidder as defined in Rule 34 TAC 20.32 (68).

3.7.9 By signature hereon, Respondent certifies as follows:

3.7.9.1 "Under Section 231.006, *Texas 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."

3.7.9.2 "Under Section 2155.004, *Texas Government Code*, the vendor or applicant 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."

3.7.9.3 "Under Section 2254.004, *Texas Government Code*, the vendor or applicant certifies that each individual or business entity which is an engineer or architect proposed by Respondent as a member of its team was selected based on demonstrated competence and qualifications only."

- 3.7.10 By signature hereon, Respondent certifies that no relationship, whether by relative, business associate, capital funding agreement or by any other such kinship exist between Respondent and an employee of any TSUS component, or Respondent has not been an employee of any TSUS component within the immediate twelve (12) months prior to your RFQ response. All such disclosures will be subject to administrative review and approval prior to the Owner entering into any contract with Respondent.
- 3.7.11 By signature hereon, Respondent affirms that no compensation has been received for participation in the preparation of the specifications for this RFQ. (ref. Section 2155.004 Texas Government Code).
- 3.7.12 By signature hereon, Respondent agrees that any payments that may become due under any agreements or other contractual arrangements, which may result from the submission of Respondent's Qualifications, will be applied towards any debt including, but not limited to, delinquent taxes and child support that is owed to the State of Texas.
- 3.7.13 By signature hereon, Respondent certifies that no member of the Board of Regents of the TSUS, or the Executive Officers of the TSUS or its component institutions, has a financial interest, directly or indirectly, in the transaction that is the subject of the contract.

3.7.14 **Execution of Offer: RFQ No. 758-10-07005**

The Respondent must complete, sign and return this Execution of Offer as part of its submittal response. The Respondent's company official(s) who are authorized to commit to such a submittal must sign submittals. Failure to sign and return this form will subject the submittal to disqualification.

Respondent's Name: _____

Respondent's State of Texas Tax Account No: _____
(This 11 digit number is mandatory)

If a Corporation:

Respondent's State of Incorporation: _____

Respondent's Charter No: _____

Identify by name, each person who owns at least 25% of the Respondent's business entity:

(Name)

(Name)

(Name)

(Name)

Submitted and Certified By:

(Respondent's Name)

(Title)

(Street Address)

(Telephone Number)

(City, State, Zip Code)

(Fax Number)

(Authorized Signature)

(Type Email Address) for RFQ Notification

(Date)

SECTION 4 – FORMAT FOR STATEMENT OF QUALIFICATIONS

4.1 GENERAL INSTRUCTIONS

- 4.1.1 Qualifications shall be prepared SIMPLY AND ECONOMICALLY, providing a straightforward, CONCISE description of the respondent's ability to meet the requirements of this RFQ. Emphasis shall be on the QUALITY, completeness, clarity of content, responsiveness to the requirements, and an understanding of Owner's needs.
- 4.1.2 The Statement of Qualifications shall be a maximum of 50 printed and could be entirely adequate with considerably fewer pages. The cover, table of contents, divider sheets, HUB Subcontracting Plan, if any, and Execution of Offer do not count as printed pages.
- 4.1.3 Respondents shall carefully read the information contained in this RFQ and submit a complete response to all requirements and questions as directed. Incomplete Qualifications will be considered non-responsive and subject to rejection.
- 4.1.4 Qualifications and any other information submitted by respondents in response to this RFQ shall become the property of the Owner.
- 4.1.5 The Owner will not compensate respondents for any expenses incurred in Qualifications preparation or for any presentations that may be made, unless agreed to in writing in advance or required by law. Respondents submit Qualifications at their own risk and expense.
- 4.1.6 Qualifications that are qualified with conditional clauses, alterations, items not called for in the RFQ documents, or irregularities of any kind are subject to rejection by the Owner, at its option.
- 4.1.7 The Owner makes no representations of any kind that an award will be made as a result of this RFQ, or subsequent RFP. The Owner reserves the right to accept or reject any or all Qualifications, waive any formalities or minor technical inconsistencies, or delete any item/requirements from this RFQ when deemed to be in Owner's best interest.
- 4.1.8 Qualifications shall consist of answers to questions identified in Section 3 of the RFQ. It is not necessary to repeat the question in the Qualifications; however, it is essential to reference the question number with the corresponding answer.
- 4.1.9 Failure to comply with all requirements contained in this Request for Qualifications may result in the rejection of the Qualifications.

4.2 PAGE SIZE, BINDING, DIVIDERS, AND TABS:

- 4.2.1 Qualifications 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 Qualifications. Only the responses provided by the respondent to the questions identified in Section 3 of this RFQ will be used by the Owner for evaluation.

4.2.3 Separate and identify the response to each of the criteria in Section 3 of this RFQ 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 of 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 any HUB Subcontracting Plan.

END OF REQUEST FOR QUALIFICATIONS