



CITY OF SAN ANTONIO  
**TRANSPORTATION & CAPITAL IMPROVEMENTS**

**REQUEST FOR QUALIFICATIONS:  
ASSISTANCE WITH THE EDWARDS AQUIFER PROTECTION PROGRAM  
(RFQ-TCI-12142015CG)**

**RFQ ISSUE DATE:  
Monday, December 14, 2015**

**SUBMITTAL DEADLINE:  
FRIDAY, JANUARY 15 , 2016 AT 10:00 A.M. LOCAL TIME**

**Notice Regarding Prohibition on Campaign or Officeholder Contributions for Individuals and Entities Seeking High-Profile Contracts.** Under Section 2-309 of the Municipal Campaign Finance Code, the following are prohibited from making a campaign or officeholder contribution to any member of City Council, candidate for City Council or political action committee that contributes to City Council elections from the 10th business day after a contract solicitation has been released until 30 calendar days after the contract has been awarded:

1. legal signatory of a high-profile contract;
2. any individual seeking a high-profile contract;
3. any owner or officer of an entity seeking a high-profile contract;
4. the spouse of any of these individuals;
5. any attorney, lobbyist or consultant retained to assist in seeking contract.

**A high-profile contract cannot be awarded to the individual or entity if a prohibited contribution has been made by any of these individuals during the “black out” period.**

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**ATTACHMENTS**

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| <b>Form 1 – Respondent Submittal Cover / Signature Sheet</b>             | RFQ Attachment 1 |
| <b>Form 2 – Submittal Checklist and Table of Content</b>                 | RFQ Attachment 2 |
| <b>Form 3 – Discretionary Contracts Disclosure Form and Instructions</b> | RFQ Attachment 3 |
| <b>Form 4 – Litigation Disclosure Form</b>                               | RFQ Attachment 4 |
| <br>   |                  |
| <b>Contract Document Template</b>  | Exhibit A        |

# CITY OF SAN ANTONIO

## I. BACKGROUND

The City of San Antonio (hereafter referred to as "City"), Transportation and Capital Improvements Department (hereafter referred to as "TCI") is seeking Statements of Qualifications (hereafter referred to as "SOQ") from qualified firms interested in ") from qualified firms to provide assistance with the Edwards Aquifer Protection Program.

On May 9, 2015, San Antonio voters approved Proposition 1, commonly known as the Edwards Aquifer Protection Venue Project, to acquire and preserve land or interests in land within the Edwards Aquifer Recharge and Contributing Zones, both inside and outside Bexar County.

City intends to select one or more qualified Respondents to be placed under a non-exclusive contract in accordance with the terms of this Request for Qualifications (hereafter referred to as "RFQ").

## II. SCOPE OF WORK

Selected Respondent(s) shall be required to assist City with the acquisition of property rights by fee-simple purchase, conservation easements or donations of land over the sensitive zones of the Edwards Aquifer. The selected Respondent(s) shall be required to perform the following tasks:

- Work with City's Project Manager and appointed Conservation Advisory Board (hereafter referred to as "CAB") in the in the prioritization of properties for acquisition under the Program;
- Attend monthly CAB meetings and semi-annual planning meetings with the Project Manager;
- Arrange site visits to project areas, coordinating land owner contacts, coordinating and presenting potential acquisitions and providing additional information and assistance to the Project Manager as needed;
- Work with the Project Manager in City's efforts to acquire real property interests in the geographical-priority sections, as specified in the Scientific Evaluation Team (SET) GIS spatial model, and work with the SET to make direct improvements to the GIS spatial model;
- Establish and maintain professional relationships with property owners and initiate negotiations with interested landowners for the purchase of real estate and real estate interests, including conservation easements, entering into options for purchase agreements between landowners and Consultant, and acting as an independent contractor on behalf of City;
- Coordinate and conduct due diligence on identified properties, which may include, but is not limited to, initial landowner outreach, site visits, obtaining title commitments, appraisals, environmental assessments, surveys and easement documentation reports (baseline surveys), in the event conservation easements are to be acquired, and sharing such information with the Project Manager for City's independent review and analysis; and
- Work collaboratively with City, outside legal counsel and other professionals under this Edwards Aquifer protection program.

### III. SCHEDULE OF EVENTS

The following schedule has been prepared for this Project.

|  |                              |
|--|------------------------------|
| <b>Pre-Submittal Conference:</b>                     | <b>January 5, 2016</b>       |
| <b>Deadline for Submission of Written Questions:</b> | <b>January 7, 2016</b>       |
| <b>Responses Due:</b>                                | <b>January 15, 2016</b>      |
| <b>Interviews, if necessary</b>                      | <b>February 4, 2016, TBD</b> |
| <b>Anticipated City Council Consideration</b>        | <b>March 3, 2016</b>         |

### IV. PRE-SUBMITTAL CONFERENCE

A Pre-Submittal Conference is scheduled to be held on **Tuesday, January 5, 2016 at 11:00 A.M.** at the **Municipal Plaza Building, Parks and Recreation Conference Room, 11<sup>th</sup> Floor located at 114 W. Commerce St., San Antonio, Texas 78205.** Attendance at the Pre-Submittal Conference is optional but strongly encouraged. Respondents are encouraged to prepare and submit their questions in writing three (3) calendar days in advance of the Pre-Submittal Conference in order to expedite the proceedings.

City's responses to questions received by this due date may be distributed at the Pre-Submittal Conference and posted on City's website at <http://epay.sanantonio.gov/RFPListings/>.

This meeting place is accessible to disabled persons. The Municipal Plaza Building is wheelchair accessible. The accessible entrance is located at 114 W. Commerce. Accessible parking spaces are located at City Hall, 100 Military Plaza. Auxiliary aids and services are available upon request. Interpreters for the Deaf shall be requested at least 48 hours prior to the meeting. For assistance, call (210) 207-7245 Voice/TTY.

Any oral responses provided by City staff at the Pre-Submittal Conference shall be preliminary. A written summary of the Pre-Submittal Conference shall contain official responses and posted on City's website at <http://epay.sanantonio.gov/RFPListings/>. Any oral response given at the Pre-Submittal Conference that is not confirmed in the written summary of the Pre-Submittal Conference or by a subsequent addendum shall not be official or binding on City. Only written responses shall be official and all other forms of communication with any officer, employee or agent of City shall not be binding on City.

### V. SUBMITTAL DOCUMENT REQUIREMENTS AND EVALUATION CRITERIA

City shall conduct a comprehensive, fair and impartial evaluation of all submittals received in response to this RFQ. City may appoint a selection committee to perform the evaluation. Each submittal shall be analyzed to determine overall responsiveness and qualifications under the RFQ. The selection committee may select all, some or none of the Respondents. If City elects to conduct interviews, Respondents may be interviewed and re-scored based upon these same criteria, or other criteria to be determined by the selection committee.

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

- A. EXECUTIVE SUMMARY – Respondent shall include a one page Executive Summary for the Statement of Qualifications ("SOQ"). The summary shall state the number of years in business, number of years in business in the local office, local office address and number of employees employed in local office.
- B. SUBMITTAL COVER / SIGNATURE PAGE (Form #1) – Respondent shall include the completed Submittal Cover/Signature Sheet with submittal, indexed or labeled as **Tab "1"**. The Submittal Cover/Signature Sheet shall be signed by a person, or persons, authorized to bind the entity or entities submitting the response. Submittals signed by a person other than an officer of the company or partner of the firm shall be accompanied by evidence of authority. Joint ventures require signatures from all firms participating in the joint venture. Joint ventures are required to provide legal proof of the joint venture such as a joint venture agreement as an attachment to their submittal. **Submittals that are not signed shall be deemed non-responsive.**

- C. SUBMITTAL CHECKLIST AND TABLE OF CONTENTS (Form #2) – Respondent shall complete this form, which is to be used as the Table of Contents for its submittal. The checklist shall be indexed or labeled as **Tab “2”** in submittal.
- D. DISCRETIONARY CONTRACTS DISCLOSURE FORM (Form #3) – Respondent shall complete the form online at, <https://www.sanantonio.gov/eforms/atty/ContractsDisclosureForm.pdf>, print a copy of the completed form and submit the form as **Tab “3”** in its ORIGINAL SUBMITTAL ONLY. If Respondent is proposing as a team or joint venture, then each party to that team or joint venture shall complete and submit a separate form with the submittal.
- E. LITIGATION DISCLOSURE FORM (Form #4) – Respondent shall complete a Litigation Disclosure form, utilizing additional pages for explanation, if necessary, and submit the form indexed or labeled as **Tab “4”** in submittal. If Respondent is proposing as a team or joint venture, then each party to that team or joint venture shall completed and submit a separate form with the submittal.
- H. CONTRACT TEMPLATE (Indexed and labeled as **Tab “5”**) - Respondent is to review City’s Contract Template, provided hereto as RFQ Exhibit A, and provide written comments and/or concerns regarding the Contract. If Respondent does not have any comments and/or concerns, Respondent shall indicate this in this Tab 5. If no objections are submitted by the Respondent, City shall presume that Respondent shall sign the agreement as presented, if a contract is awarded.
- I. PROOF OF INSURABILITY (Indexed and labeled as **Tab “6”**.) - Respondent shall submit a copy of their current insurance certificate.
- J. LETTERS OF REFERENCE (required): Respondent shall provide a maximum of five (5) letters of reference. Letters of Reference shall be indexed and labeled as **Tab “7”**.
- K. STATEMENT OF QUALIFICATIONS – Respondent shall provide a narrative document addressing all evaluation criteria in Section II of this RFQ. Sufficient information regarding Respondent’s past projects and key personnel’s experience shall be provided in Respondent’s submittal to indicate its team has met or exceeded the minimum qualifications cited in Section II of this RFQ.

**001. Background, Experience and Qualifications of Prime Firm, Key Personnel and Key Sub-consultants including Co-Respondent, Joint Venture Party or Partner (40 Points)**

**a. Experience: (Indexed and Labeled as Tab “8”)** - City shall consider the relevance of past experience for all parties proposed as a part of the team. Respondent shall provide a narrative, in two (2) pages or less, describing its team’s qualifications to the services outlined in the RFQ as well as experience in the following areas:

1. Experience with land conservation strategies, including conservation easements;
2. Acquisition and preservation experience in the Edwards Aquifer recharge zone;
3. Ability to acquire real property interest in the geographical priority sections as specified in the Scientific Evaluation Team GIS spatial model;
4. Experience in the coordination and execution of due diligence on properties, which may include, but is not limited to, obtaining title commitments, appraisals, environmental assessments, surveys, and easement documentation reports (baseline surveys).

**b. Proposed Key Personnel/Organizational Chart (Indexed and Labeled as Tab “9”)** - Key personnel included in this section are expected to be the same personnel that shall be assigned to contract, if awarded. Respondent shall provide a detailed organizational chart of its team, identifying key personnel who shall be committed to work on the various tasks for this Project. The proposed key personnel shall consist of a licensed architect/urban planner or licensed engineer with a minimum of five (5) five years demonstrated experience.

Label key personnel assignments as:

1. Proposed Coordinator of the Project requirements with regulatory agencies and authorities (if any);
2. Proposed Quality Assurance/Quality Control Coordinator for submitting applicable notifications;
3. Proposed Project Principal;
4. Proposed Project Manager; and
5. Sub-Consultant(s) (for all services deemed necessary to fulfill the duties of this contract).

**c. Resumes (Indexed and Labeled as Tab “10”)** – Respondent shall submit one-page resumes for all key team members. Resumes should link to project sheets and may also include additional previously completed relevant projects not highlighted in the project sheets. Resumes also shall include the license type (if applicable), number of years licensed, location of office, number of years experience in proposed role and experience with Respondent’s team.

**d. Project Sheets (Indexed and Labeled as Tab “11”)** – Respondent’s submittal shall include a maximum of three (3) project sheets, limited to one (1) page for each project, describing similar projects Respondent has completed within the last five (5) years. Each project sheet should include the following: Name and Description of Respondents project(s);

1. Scope of the project;
2. Project Principal and note whether this person shall work on this Project and his/her role planned for this Project;
3. Project Manager and note whether this person shall work on this Project and his/her role planned for this Project;
4. Budget for Respondent’s cited project(s);
5. Proposed completion date and actual completion date of project(s), (explain inconsistencies);
6. Names of Respondent’s proposed Team members who worked on the project(s). Respondent shall indicate if they still are retained by Respondent;
7. Owner’s name and the name of the project representative (if different) who served as the day-to-day liaison for the project. List information in the following format:

Name of Owner: \_\_\_\_\_  
Name of Owner’s representative: \_\_\_\_\_  
Representative’s Phone Number: \_\_\_\_\_  
Representative’s E-mail: \_\_\_\_\_

## **002. Proposed Management Plan (40 points)**

This information should include Respondent’s proposed organizational structure and availability of labor resources (capacity to perform) in executing the team’s effort. Respondent shall submit information in a brief narrative plan indexed and labeled as **Tab “12”** clearly and concisely describing the team’s organization and approach to the Project, to include the following information:

1. Describe Respondent’s project management approach and team organization for the provision of the services outlined in this RFQ, as well as your understanding of this project, including all of the requirements to successfully complete the project(s). Provide the approach of your firm and/or team partner(s) in meeting those requirements, and comprehensively address all the issues, standards and requirements needed to produce a finished product.
2. Detail the current capacity of the team’s key individuals and Respondent’s capabilities to complete the services outlined herein.
3. Briefly describe Respondent’s team’s experience with the Edwards Aquifer Protection Program or any other related conservation-themed initiative.
4. Describe your approach to assuring timely completion of services, including methods for recovery, if necessary.
5. Describe Respondent’s ability to coordinate work with all stakeholders in a manner that leads to adoption of effective and efficient processes or solutions.

**003. Team’s Experience with San Antonio Region Issues and past experience with City of San Antonio contracts (20 points)**

City is interested in evaluating Respondent’s experience with San Antonio issues, as may be evidenced by work in San Antonio and/or the surrounding area during the past five (5) years. In narrative form using a maximum of two (2) pages, briefly describe Respondent’s experience (if any) in the following areas, referencing projects relating to that experience. Note: Respondent may reference projects included in project sheets under **Tab “12”** herein or include other projects, but no additional project sheets should be provided for this evaluation. This information shall be indexed and labeled as **Tab “13”**.

1. Describe Respondent’s past experience and planned management approach to coordinate with stake holders, non-profit groups, state and federal entities;
2. Regional land and real estate market conditions
3. Local environmental community, conditions and constraints;
4. Involvement in project development as it relates to public awareness in the local area;
5. COSA area land conservation strategies;
6. COSA area land acquisition;
7. COSA environmental community, conditions and constraints;
8. Edwards Aquifer-related conservation strategies
9. Watershed and/or range management conservation strategies

A portion of the scoring for these criteria shall be based on City’s Consultants’ Scorecard, other documentation and/or Respondent’s experience and performance on other City projects. City may consider the history of the firm in complying with project programs, schedules and budgets on previous City of San Antonio projects. **No items shall be submitted by Respondent for this criterion and Respondent shall not be penalized if it has not done work on City of San Antonio projects.** Specific items for consideration may include, but are not limited to:

1. Timely completion of City projects;
2. Cooperative working relationship with City;
3. Prompt payment of Subcontractors at all levels;
4. Compliance with other contract terms;
5. Compliance with City Ordinances on substitution/addition/deletion of Subcontractors;
6. Provision of contracting opportunities for S/M/WBES;
7. Compliance with City standards;
8. Conformance to City budget requirements.

| <b>Evaluation Criteria:</b>   | <b>Maximum Points</b> |
|---|-----------------------|
| <b>A. Background, Experience and Qualifications of Prime Firm, Key Personnel and Key SubConsultants including Co-Respondent, Joint Venture Party or Partner</b> | <b>40 points</b>      |
| <b>B. Proposed Management Plan</b>  | <b>40 points</b>      |
| <b>C. Team’s Experience with San Antonio Region Issues &amp; past experience with City of San Antonio contracts</b>   | <b>20 points</b>      |
| <b>TOTAL</b>  | <b>100 points</b>     |

## VI. SUBMISSION INSTRUCTIONS

When submitting a Statement of Qualifications in person, visitors to City Hall shall allow time for security measures. Visitors to City Hall shall be required to enter through the east side of the building. The public shall pass through a metal detector and x-ray machine located in the lobby. All packages, purses and carried items shall be scanned during regular business hours of 7:45 a.m. to 4:30 p.m. After the public proceeds through the metal detector, they shall sign in and receive a visitor's badge. For those that might require the use of a ramp, entry is available on the south side of the building (Dolorosa side). Security shall meet the visitor in the basement with a hand scanner.

Respondent shall submit a total of **six (6)** Qualification Statements which shall include one **(1)** original unbound Qualification Statement, signed in ink, and **five (5)** printed copies of the submittal, as well as one **(1)** copy of the entire submittal in an Adobe PDF format on a compact disk (**CD**) or flash drive in a sealed package, clearly marked on the front of the package "**RFQ: ASSISTANCE WITH THE EDWARDS AQUIFER PROTECTION PROGRAM.**" All submittals shall be received in the Office of the City Clerk **NO LATER THAN 10:00 AM FRIDAY, JANUARY 15, 2016** at the address indicated below. Any submittal received after this time shall not be considered. Late submittals shall be rejected or shall be shredded without being opened. Late submittals shall be rejected or, if a submittal is received by City, shall not be returned and shall be shredded without being opened.

Mailing Address:

Office of the City Clerk, Attn: Transportation and Capital Improvements  
P.O. Box 839966  
San Antonio, Texas 78283-3966

Physical Address:

Office of the City Clerk, Attn: Transportation and Capital Improvements  
100 Military Plaza  
City Hall, 2<sup>nd</sup> Floor,  
San Antonio, Texas 78205

Submittals sent by facsimile or email shall not be accepted.

A response to this solicitation shall be complete and well organized. Adherence to the maximum page criterion is critical; each page side (maximum 8 1/2" x 11") with criteria information shall be counted. Respondent shall adhere to the page limitations for each section as stated herein. Pages which have project photos, charts, and graphs shall be counted towards the maximum number of pages. Front and back covers, Table of Contents pages and tabbed divider pages shall not be counted if they do not contain submittal information. The use of recycled paper is encouraged. Three-ring binders are **NOT** permitted. With regards to other types of binding, plastic (not metal) spiral or "comb" binding is highly recommended. Unnecessarily elaborate brochures, artwork, bindings, visual aides, expensive paper or other materials beyond which is sufficient to present a complete and effective submission are not required. All pages shall be numbered. Margins shall be no less than 1" around the perimeter of each page. Electronic files, websites or URLs shall not be included as part of the proposal, other than the CD specified above. Each submittal shall include the sections and attachments in the sequence listed in the RFQ Section V, Submittal Document Requirements & Evaluation Criteria, and each section shall be divided by tabs and indexed as indicated in this RFQ. Failure to meet the above conditions may result in disqualification of the proposal.

A Respondent which submits a response to this RFQ correctly shall reveal, disclose and state the true and correct name of the individual, proprietorship, corporation and /or partnership (clearly identifying the responsible general partner and all other partners who would be associated with the contract, if any) submitting the response. No nick-names, abbreviations (unless part of the legal title), shortened or short-hand, or local "handles" shall be accepted in lieu of the full, true and correct legal name of the entity. The true and correct name shall comport exactly with the corporate and franchise records of the Texas Secretary of State and Texas Comptroller of Public Accounts. Individuals and proprietorships, if operating under other than an individual name, shall match with exact Assumed Name filings. Corporate Respondents and limited liability company Respondents shall include the 11-digit Comptroller's Taxpayer Number on the signature page of the Proposal.

## VII. AMENDMENTS TO RFQ

Changes, amendments, or written responses to questions received in compliance with Section VIII, Restrictions on Communication may be posted on City's website at <http://epay.sanantonio.gov/RFPListings/>. It is Respondent's responsibility to review this site and ascertain whether any amendments have been made prior to submission of a proposal. If Respondent does not have access to the Internet, Respondent shall notify City, in accordance with Section VIII, Restrictions on Communication, Respondent wishes to receive copies of changes, amendments, or written responses to questions by mail or facsimile.

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

## VIII. RESTRICTION ON COMMUNICATIONS

Once this RFQ has been released, Respondent is prohibited from communicating with City staff regarding the RFQ or Submittals, with the following exceptions:

Respondent is prohibited from communicating with elected City officials and their staff regarding the RFQ or submittal from the time the RFQ has been released until the contract is posted as a City Council agenda item. Respondent is prohibited from communicating with City employees from the time the RFQ has been released until the contract is awarded. These restrictions extend to "thank you" letters, phone calls, emails and any contact that results in the direct or indirect discussion of the RFQ and/or submittal submitted by Respondents. Violation of this provision by Respondent and/or its agent may lead to disqualification of Respondent's submittal from consideration. Exceptions to the restrictions on communication with City employees include:

1. Respondent may ask verbal questions concerning this RFQ at the Pre-Submittal Conference.
2. Respondent may submit written questions concerning this RFQ to the Staff Contact Person listed in the address below until **11:00 a.m on January 7, 2016**. Questions received after the stated deadline shall not be answered. It is suggested that all questions be sent by electronic mail or by fax to:

Carisa Gamez, Contract Coordinator, 207-5859 (via fax) or Carisa.Gamez@sanantonio.gov

However, questions sent by certified mail, return receipt requested, shall also be accepted and should be addressed to:

Carisa Gamez, Contract Coordinator  
City of San Antonio, Transportation and Capital Improvements  
Contract Services Division  
114 W. Commerce Street, Room 909, San Antonio, TX 78205

## IX. AWARD OF CONTRACT AND RESERVATION OF RIGHTS

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

- A. A Contracts, if awarded, shall be awarded to the Respondent(s) whose submittal(s) is/are deemed most advantageous to City, as determined by the selection committee and upon approval by City Council.
- B. City may accept any submittal in whole or in part. If subsequent negotiations are conducted, they shall not constitute a rejection or alternate RFQ on the part of City. However, final selection of a Respondent is subject to City Council approval.

- C. City reserves the right to accept one or more submittals or reject any or all submittals received in response to this RFQ and to waive informalities and irregularities in the proposals received. City also reserves the right to terminate this RFQ, reissue a subsequent solicitation and/or remedy technical errors in the RFQ process.
- D. City shall require the selected Respondent(s) to execute a contract with City in substantially the same form as the one attached, prior to City Council award. No work shall commence until City signs the contract document(s) and Respondent provides the necessary evidence of insurance as required in this RFQ and the contract. Contract documents are not binding until approved by the San Antonio City Attorney's office. In the event the parties cannot negotiate and execute a contract within the time specified by City, City reserves the right to terminate negotiations with that selected Respondent and commence negotiations with another Respondent.
- E. This RFQ does not commit City to enter into a contract or award any services related to this RFQ, nor does it obligate City to pay any costs incurred in preparation or submission of a response or in anticipation of a contract.
- F. City administers its design and construction management through an internet-based project management system. All vendors shall be required to use City's internet-based system and submit Project schedules.
- G. **Conflicts of Interest:** Respondent acknowledges that it is informed that the Charter of City of San Antonio and its Ethics Code prohibit a City officer or employee, as those terms are defined in the Ethics Code, from having a financial interest in any contract with City or any City agency such as City-owned utilities. An officer or employee has a "prohibited financial interest" in a contract with City or in the sale to City of land, materials, supplies or service, if any of the following individual(s) or entities is a party to the contract or sale: City officer or employee; his parent, child or spouse; a business entity in which he or his parent, child or spouse owns ten percent or more of the voting stock or shares of the business entity, or ten percent or more of the fair market value of the business entity; or a business entity in which any individual or entity above listed is a Subcontractor on a City contract, a partner or a parent or subsidiary business entity.
- H. Respondent is required to warrant and certify that it, its officers, employees and agents neither are officials or employees of City, as defined in Section 2-42 of City's Ethics Code. (Discretionary Contracts Disclosure) – Instructions and web-link to electronic form are included in Form 3 of RFQ.
- I. **Independent Contractor:** Respondent agrees and understands, if selected, it and all persons designated by it to provide services in connection with a contract, is, are and shall be deemed to be an independent contractors, is/are responsible for its/their respective acts or omissions City shall in no way be responsible for Respondent's actions and none of the parties hereto shall have authority to bind the other(s) or to hold out to third parties that it/they has/have such authority.
- J. Effective January 1, 2006, Chapter 176 of the Texas Local Government Code requires that persons or their agents, who seek to contract for the sale or purchase of property, goods or services with City, shall file a completed conflict of interest questionnaire with City Clerk not later than the seventh (7<sup>th</sup>) business day after the date the person:

(1) begins contract discussions or negotiations with City; or

(2) submits to City an application, response to a request for proposals or bids, correspondence or another writing related to a potential agreement with City. The conflict of interest questionnaire form is available from the Texas Ethics Commission by accessing either of the following web addresses:

[http://www.ethics.state.tx.us/whatsnew/conflict\\_forms.htm](http://www.ethics.state.tx.us/whatsnew/conflict_forms.htm)

or

<http://www.sanantonio.gov/atty/ethics/pdf/OCC-CIQ-Addendum.pdf>

Completed conflict of interest questionnaires may be mailed or delivered by hand to the Office of San Antonio City Clerk. If mailing a completed conflict of interest questionnaire, mail to:

Office of City Clerk  
P.O. Box 839966  
San Antonio, TX 78283-3966.

If delivering a completed conflict of interest questionnaire, deliver to:

Office of City Clerk  
City Hall, 2<sup>nd</sup> floor  
100 Military Plaza  
San Antonio, TX 78205

Respondent should consult its own legal advisor with questions regarding the statute or form.

- K. All submittals become the property of City upon receipt and shall not be returned. Any information deemed to be confidential by Respondent should clearly be noted on the page(s) where confidential information is contained; however, City cannot guarantee that it shall not be compelled to disclose all or part of any public record under the Texas Public Information Act, since information deemed to be confidential by Respondent may not be considered confidential under Texas law or pursuant to a Court order.
- L. Any cost or expense incurred by Respondent associated with the preparation of its submittal, attendance at the Pre-Submittal Conference, if any, or incurred during any phase of the selection process shall be borne solely by Respondent.
- M. **Solicitation Process Review:** If Respondent desires a review of the solicitation process, Respondent shall deliver a written request to the Director of TCI within seven (7) calendar days from the date the notice of non-selection was sent. When the TCI Director receives a timely written request, the TCI Director or his/her designee shall review Respondent's concerns and the solicitation process utilized for legitimacy and procedural correctness. After performing a full review, the TCI Director shall notify Respondent in writing of his/her determination of the solicitation process utilized.
- N. **Debriefings:** In an effort to improve solicitation responses, TCI is making available on its web site a "Solicitation Response Tip List" that includes the top common items that "make or break" submissions. Providing this information, prior to the due date of the submittal, provides Respondent an opportunity to develop a better response for each solicitation. As a result of this up-front effort, each Respondent is entitled to a one (1) debriefing per calendar year after the San Antonio City Council has made an award of a contract on a project if:
- (a) they are not the selected respondent for the project; and
  - (b) they have not been debriefed since January 1, 2014.
- Once a firm has been debriefed, it shall not be eligible for future debriefings within that calendar year. A Respondent meeting the above criteria desiring an individual submittal debriefing shall deliver a written request to the TCI Contract Services Division within seven (7) calendar days from the date a notice of non-selection was sent.
- O. City reserves the right to verify any and all information submitted by Respondents at anytime of the solicitation/evaluation process.
- P. Final approval of a selected firm(s) is subject to the action of the San Antonio City Council.
- Q. City reserves the right to contact any Respondent to negotiate a contract, if such contact is deemed desirable by City.