

# CITY OF SAN ANTONIO

## CAPITAL IMPROVEMENTS MANAGEMENT SERVICES DEPARTMENT



### REQUEST FOR QUALIFICATIONS ("RFQ") TOWER SITE DEVELOPMENT (DESIGN AND CONSTRUCTION) SERVICES FOR PUBLIC SAFETY COMMUNICATIONS TOWER SITE Project Number: 40-00176

---

(RFQ# CIMS1115)

**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.**

**ISSUE DATE: Monday, November 15, 2010**

**SUBMITTAL DEADLINE: Wednesday, December 15, 2010, 3:00 P.M., Local Time**

<b>TABLE OF CONTENTS</b>	
<b>SECTION</b>	<b>PAGE NO.</b>
I. Background/Overview	2
II. Definitions	2
III. Project Description/Scope of Services	3
IV. Amendments to the RFQ	5
V. Pre-Submittal Conference	6
VI. Selection Process and Evaluation Criteria	6
D. Small Business Economic Development Advocacy (SBEDA)	9
VII. Submission Instructions - Phase One of Solicitation	11
VIII. Submittal Document Requirements – Phase One of Solicitation	13
IX. Tentative Schedule for Selection Process and Award	14
X. Restrictions on Communication	15
XI. Award of Contract and Reservation of Rights	16
<b>REQUIRED FORMS, INSTRUCTIONS AND EXHIBITS</b>	
Submittal Cover/Signature Sheet	RFQ Attachment 1
Submittal Checklist and Table of Contents	RFQ Attachment 2
General Questionnaire	RFQ Attachment 3
Discretionary Contracts Disclosure Form and Instructions	RFQ Attachment 4
Litigation Disclosure Form	RFQ Attachment 5
SBEDA Program	RFQ Attachment 6
General Conditions for City of San Antonio Building Design-Build Contracts (to be posted separately at a later date and incorporated through reference)	Exhibit A
City of San Antonio Draft Tower Site Development Contract Template (to be posted separately at a later date and incorporated through reference)	Exhibit B

## I. BACKGROUND/OVERVIEW

The City of San Antonio (“the City”), Capital Improvements Management Services Department (“CIMS”) is soliciting for the selection of a Tower Site Development (“TSD”)/Construction firm/team for the design and construction of a 500-foot self-supporting communications tower and equipment shelter, to be located on 515 Frio St. in San Antonio, Texas. The City is relocating the Nueva Street Tower to a new facility and the existing 500-foot communications tower and shelter will be replaced. The plan calls for the design and construction of the new tower site, which includes tower, shelter, generator, supporting equipment and fence enclosure, and the disassembling and removal of the existing 500-foot self-supporting tower and 16’ x 36’ equipment shelter from 214 W. Nueva to a yet to be determined storage location in the San Antonio area.

This RFQ is the first part of a two-phased solicitation process and provides information for interested parties to prepare and submit a response for consideration by the City of San Antonio. Interested and qualified TSD firms who can demonstrate their ability to successfully complete the project are invited to submit their responses to this solicitation in the form of qualifications statements.

The City intends to enter into a contract with the TSD firm with experience in the design and construction of communications sites with large towers and equipment shelters, and that provides the best value for the City. The qualified TSD firm will provide a completed project including professional design conforming to all applicable criteria, including antennae loading size and power requirements, complete construction services and follow-up work as appropriate; within a Fixed Price Proposal for the project developed and submitted by the TSD Firm in its response to the second phase of this solicitation (if short-listed and invited to participate in the second phase of the process) and accepted by the City of San Antonio.

**Qualification Statements shall not include any information regarding respondent’s fees, pricing, or other compensation. Such information will be solicited from firms qualified by the City to participate in the second phase of the solicitation process.**

## II. DEFINITIONS

As used in the Request for Qualifications (RFQ), the terms have the meanings set forth below:

- A. “Owner’s Design Criteria” means any information which defines the expectations of the Owner and may include, but is not limited to, existing conditions surveys, geotechnical reports, design standards & guidelines, as well as performance specifications.
- B. “Tower Site Development Contract” means a single contract with a firm or business entity for the design and construction of the Public Safety Communications Site (turn-key design) and the removal of the existing communications tower and equipment shelter, based upon Owner’s Design Criteria prepared by the City of San Antonio.
- C. “Tower Site Development (TSD) firm/team” means a partnership, corporation, or other legal entity or team that includes an engineer and builder qualified and licensed to engage in communication tower construction in Texas.

- D. "Construction Documents" means all the design documents to be provided by selected TSD Firm and approved by Owner, without limitation, those for use in constructing the project, performing the work, and the rendering of the project fully operational, and shall include, without limitation, detailed plans, drawings, specifications, manuals, and related materials.
- E. "Owner" means the City of San Antonio (City)
- F. "Respondent" or "Respondents" shall mean those Tower Site Development/Construction firms/teams that respond to this RFQ.
- G. "Design Criteria Consultant" means the Owner's Architect/Engineering consultant supplying the design criteria and preliminary design.

### **III. PROJECT DESCRIPTION/SCOPE OF WORK**

This section is intended to provide potential Respondents to this RFQ with summary information concerning the project requirements, budget, scope and schedule to ensure that Respondents understand the Owner's basic expectations and to allow the Respondent to submit their qualifications accordingly.

The City of San Antonio is seeking to contract with a Tower Site Development firm who will take the City provided Owner's Design Criteria and provide complete construction documents and perform all required construction for the project, if selected. Upon completion, the TSD contractor will deliver the completed operational facility to the Owner.

The Owner's Design Criteria will be used by the TSD firm/team to complete the design and to construct the communications tower, equipment shelter and all associated site-work. The communications tower will be a 500-foot self-supporting structure in the downtown San Antonio area to support antennas for various communications systems including the City's public safety two-way communications system (VHF, 700 MHz and 800 MHz), Traffic Management and High Water Detection Systems. The tower will be designed and built to the Telecommunications Industry Association / Electronic Industries Association (TIA/EIA 222-G) Standard - Structural Standards for Antenna Towers and Antenna Supporting Structures. The installation of antennas and transmission systems will be part of the tower erection process and part of the Tower Site Development contract.

A prefabricated, bullet resistant, electronic equipment shelter including foundation and ancillary equipment shall be furnished and installed on a turn-key basis as specified in the Owner's Design Criteria. The equipment shelter should be delivered with finished interiors and support equipment, including cable trays and HVAC, but the communications and ancillary communications equipment will be installed by the City's third-party contractor after the shelter is installed.

The removal of the existing 500-foot self-supporting tower and 16' x 36' equipment shelter from 214 W Nueva to a storage location in the San Antonio area, after the designated service overlap period, shall also be part of the contract awarded to the selected TSD Contractor.

Special systems and supporting facilities include, but are not limited to, HVAC system, mechanical, electrical services, exterior lighting, alarm systems, security, A/V, and communication cabling, grounding, sidewalks, and security fence with controlled access gates, storm drainage, site improvements including security features and landscaping, and site accessibility for individuals with

disabilities. Additionally, the site will require a generator, fuel tank and automatic transfer switch as specified in the Owner's Design Criteria.

The construction site is located in the southwest corner of the Frio St. parking lot in close proximity to an existing railway line and the City's Information Technology Services Department (ITSD) offices and SAPD Substation. Construction of a new fueling station and carwash facility on the northwest portion of the Frio St. site may coincide with the tower installation work. Coordination with the occupied facilities and other construction work to be done on the Frio St. site will be required of the selected TSD Contractor.

The TSD team chosen for this project will use its best skill and judgment in executing and administering this project in the best interest of the Owner and will coordinate with the City, and the City's 3<sup>rd</sup> party contractors in implementing any systems requirements from the City of San Antonio Information Technology Services Department (ITSD). Work shall be conducted in a manner conforming to the Unified Development Code, International Building Code 2009, American Disabilities Act (ADA) design guidelines, TIA/EIA 222-G, and all City of San Antonio Codes and Ordinances required for permit.

The City is currently under contract with a design criteria consultant that will provide the design specifications and site development requirements documents for this project. This design criteria consultant will continue under contract with the City through project completion and will provide review of the TSD firm's Construction Documents, construction phase monitoring, and commissioning.

#### PROJECT TIMELINE:

Notice to Proceed for Design is anticipated to be given by March 10 2011. Construction is anticipated to begin no later than May 2, 2011, with substantial completion of the tower facility by the end of July 2011. The Selected TSD firm shall be responsible for scheduling design and construction for completion within the Owner's time frame. A provision for Liquidated Damages has been included in the Tower Site Development Contract (see the Contract Template, Exhibit B). Removal of the existing tower and equipment shelter shall not begin until after the required service overlap time period and Notice to Proceed. Notice to Proceed with tower removal is anticipated to be given no earlier than June 2012.

#### PROJECT BUDGET:

The total estimated budget for this project is \$1,500,000.00.

#### OWNER REQUIRED PROVISIONS:

**ALL TOWER SITE DEVELOPMENT WORK SHALL BE IN ACCORDANCE WITH THE CONTRACT AND THE GENERAL CONDITIONS FOR CITY OF SAN ANTONIO BUILDING DESIGN-BUILD CONTRACTS (INCLUDED BY REFERENCE IN THIS RFQ).**

##### A. Personnel:

The selected TSD firm team shall provide managers and properly trained and experienced personnel and administrative staff to ensure satisfactory performance under a contract awarded in connection with this solicitation.

**B. Project Execution:**

1. Following selection of a TSD firm, the firm's engineers shall complete the Construction Documents utilizing the Owners Design Criteria, submitting all design elements for review and determination of scope compliance to the Owner at 95% completion for review and approval prior to submitting for permit and before construction.
2. An Engineer shall be licensed in the State of Texas and shall be responsible for compliance with all applicable engineering design requirements including but not limited to the requirements of the Texas Occupation Code, Title 6, Chapter 1001, and the Texas Administrative Code, Title 22, Part 6, Chapter 131.
3. The Owner shall provide or contract for, independently of the TSD contractor, inspection services, special inspection services, testing of construction materials, and any verification testing services necessary for acceptance of the facility by the Owner as indicated in the Owners Design Criteria. Testing of the antennae sweeps and grounding will be performed by the TSD under observation of the Owner and Design Criteria Consultant.
4. Follow-up work and service calls deemed necessary to bring the completed facilities into reliable and consistent service shall be in accordance with the contract (which shall be posted as an exhibit to this RFQ at a later date).
5. The TSD contractor shall supply a set of "as-built" construction documents in both printed and electronic form to the Owner at the conclusion of construction, as a precondition to final payment.

**C. Safety/Environmental Protection Programs:**

Contractor shall establish and maintain, throughout the contract period, a viable safety program, including certifications for tower climbing personnel, in accordance with requirements of applicable regulatory authorities.

**IV. AMENDMENTS TO THE RFQ**

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

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

## **V. PRE-SUBMISSION CONFERENCE**

A Pre-Submittal Conference will be held on **Monday, November 29, 2010 at 9:00 a.m.** at the **Municipal Plaza Building, “B” Room, located at 114 West Commerce St., First Floor, San Antonio, Texas 78205.** 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 the City’s website at <http://epay.sanantonio.gov/RFPListings/>. Attendance at the Pre-Submittal Conference is optional, but strongly encouraged.

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 must 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, if any. 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 the City. Only written responses shall be official and all other forms of communication with any officer, employee or agent of the City shall not be binding on the City.

## **VI. SELECTION PROCESS AND EVALUATION CRITERIA**

The City will appoint a selection committee to perform the evaluations and will conduct a comprehensive, fair and impartial evaluation of all Statements of Qualifications received in response to this RFQ and shall rank each Submittal received in response to this RFQ using the criteria set forth herein. Based on the evaluation process, the selection committee shall qualify a maximum of five (5) Respondents to participate in Phase Two of the solicitation process.

The second phase of the solicitation process may include an invitation to interview at the City’s discretion, and the selection committee will request that the selected, short-listed respondents provide a detailed Fixed Price Proposal based on the Owners Design Criteria. The second phase of the solicitation process will also include requests for additional information from the short-listed firms. Additional information requested may include more detailed information regarding demonstrated competence and qualifications, the ability of the respondent to meet the project schedule and other information as appropriate.

The TSD firms selected to proceed into the second phase of the solicitation process shall be provided with, and shall review all user and project requirements, schedule constraints, Owner’s Design Criteria, existing conditions survey, geotechnical report, miscellaneous provisions, and other information and incorporate the information provided into a detailed design-build, turn-key project management approach which shall be submitted by the “short-listed” respondents during the second phase of the solicitation along with their price proposals.

During the second phase of the solicitation process, the selection committee will evaluate and rank the short-listed firms’ submittals based on the evaluation criteria set forth in this RFQ, which shall

include evaluation of the Fixed Price Proposals (including the proposed design phase fee, cost of the work, and construction management fee) as well as other additional information as requested, along with the results of an interview (should interviews be included as part of the second phase of the solicitation process).

The City may also request additional information from Respondents at any time prior to final approval of a selected Respondent.

**PHASE ONE EVALUATION CRITERIA:**

The City will consider the background, experience, qualifications and capability of the TSD firm/team to provide complete contract documents as well as Respondent’s project understanding and approach and management plan. Respondents should provide information regarding specific experience with projects of a similar nature and as per the following:

**A. Background, Experience and Qualifications of the Tower Site Development Team:**

Discuss the background and past performance, experience, and qualifications of the TSD Team in providing the services as outlined in this RFQ. Utilizing a project sheet for each, identify at least three (3) comparable communications tower site development projects (preferably towers built to the TIA/EIA 222-G standard) completed within the last three years by the TSD firm/team, which preferably will include at least two projects undertaken with a Fixed Price Contract. For each highlighted project, the project sheet should include the following:

- 1) Description of the project;
- 2) Photograph of project;
- 3) Project’s original estimate of construction cost and final construction cost;
- 4) Project schedule;
- 5) The owner’s name and the name of the representative (if different) who served as the day-to-day liaison during the design and construction phases of the project in the following format:  
Name of Owner: \_\_\_\_\_  
Name of Owner’s Representative: \_\_\_\_\_  
Representative’s current Phone Number: \_\_\_\_\_  
Representative’s current E-mail: \_\_\_\_\_

Discuss the background and past performance, experience, and qualifications of any subcontractors or subconsultants of the TSD Firm expects to team with in providing the services as outlined in this RFQ. Utilizing a project sheet for each, the subcontractor shall also identify at least three (3) comparable communications tower site projects completed within the last three years. Preference is for projects undertaken by both the TSD firm/team and the subcontractor. For each highlighted project, the project sheet should include the following:

- 1) Description of the project;
- 2) Photograph of project;
- 3) Project’s original estimate of construction cost and final construction cost;
- 4) Project schedule;

- 5) The owner's name and the name of the representative (if different) who served as the day-to-day liaison during the design and construction phases of the project in the following format:

Name of Owner: \_\_\_\_\_

Name of Owner's Representative: \_\_\_\_\_

Representative's Phone Number: \_\_\_\_\_

Representative's E-mail: \_\_\_\_\_

**B. Background, Experience and Qualifications of Key Project Personnel:**

- 1) Licensed Professionals: Identify each of the Licensed Professional Engineers to be assigned to this project. Provide for each, the number of years licensed, number of years in business employed by, or as a principle in a professional firm.
- 2) Project Manager/Superintendent: Identify the Project Manager/Superintendent, number of years of project management experience (including previous employment), number of years employed with this professional firm.
- 3) Identify all proposed team members (including consultants and subcontractors) who worked on the Projects listed on the Project Sheets requested in the Evaluation Criteria, Section VI.A. of this RFQ (above), and describe their responsibility in those projects compared to this project. Identify the safety training program and certifications for tower climbing personnel.
- 4) Identify any consultants/subcontractors that are included as part of the proposed team, their role and experience as it relates to these Projects. List all projects for which the consultant(s) has worked with the respondent in the past. Identify any projects on which the consultant(s) has worked that were listed on the Project Sheets requested in the Evaluation Criteria, Section VI.A. of this RFQ (above), and describe their responsibility in those projects compared to these projects.

**C. Project Understanding, Approach/Management Plan:**

This information should include the TSD firm's proposed organizational structure, availability of labor resources (capacity to perform) in executing the TSD effort. The TSD firm shall submit information in a brief narrative plan that clearly and concisely describes the organization and approach to project management and execution.

- 1) Briefly describe your TSD firms'/teams' understanding of this project type, including all of the requirements to successfully complete the project. Provide the approach of your TSD firm and/or team partner(s) in meeting those requirements, and comprehensively address all the issues, standards and requirements needed to produce a finished project.
- 2) Provide a detailed organizational chart or graphic representation of the proposed team identifying key personnel (indexed as Attachment "A" in the submittal). Describe, in graphic and written form, the proposed Project assignments and lines of authority and communication for each team member to be directly involved in the project(s). Indicate the estimated percent of time these team members will be involved in the project(s) for

Design and Construction Services. Affirm that the individuals identified will be committed for the entire duration of the project(s).

- 3) Describe your construction management approach and ability to coordinate work with all sub-contractors (and/or other contractors) and suppliers.
- 5) Describe your Team's Quality Control/Quality Assurance Process, approach and capabilities to maintain quality control of the design and construction.
- 6) Briefly describe the firm's approach for anticipating, recognizing and controlling safety risks and note the safety resources that the firm provides for each project's Safety program. Describe the firm's tower climbing safety policies and procedures.
- 7) Describe your approach to assuring timely completion of the project, including methods for schedule recovery, if necessary.

***The subtotal of all possible points that can be awarded for Phase One for items A through C above, on a one hundred (100) point scale is 80 points as set out in the table below. In addition to the SOQ that addresses items A through C above, firms should respond to Item D below with a maximum of four pages (include as Attachment D to Submittal). Item D constitutes the remaining 20 of the possible 100 total points.***

**D. Small Business Economic Development Advocacy Program (SBEDA) Narrative**  
(Maximum 20 POINTS)

The current SBEDA policy provides for evaluation criteria for Alternative Construction Delivery Methods (ACDM), to include: Design Build, Competitive Sealed Proposal, and Construction Manager at Risk. The SBEDA evaluation criteria is designed to promote the utilization of Small, Minority, Women and African-American Owned businesses by prime Contractors bidding City projects.

The SBEDA scoring includes 20% (20 points on a 100 point scale) for consideration of local status, small business status, small business outreach and performance in achieving SBEDA goals. This section incorporates criteria to evaluate a Respondent's local economic impact and replaces the local business enterprise evaluation points. It also establishes evaluation criteria for a Respondent's Emerging-Diversity initiative. Emerging-Diversity is a business teaming program to provide opportunities for local Small, Minority, Women and African-American Owned Businesses. Respondents will be required to identify teaming opportunities for small businesses within the construction project(s).

The Respondent's demonstrated commitment to Small Business Economic Development Advocacy – must be provided in a narrative statement (in lieu of a Good Faith Effort Plan) based on the following evaluation criteria describing the commitment to achieve the City's small business goals. Evaluation of the Respondent's narrative statement will be worth a total of twenty percentage (20%) points based on the criteria:

ECONOMIC IMPACT (Up to 5 points)

- Local resources, to include, local suppliers, equipment providers, subcontractors;
- Firms’ principal office and the home office location of key staff on this project or projects;
- Headquartered or has local branch office in San Antonio;
- Identify local (presently living in or relocating to San Antonio) versus non-local staffing of your team, and the percent of their work expected to be done locally.

SBEDA EXPERIENCE (Up to 5 points)

Up to five percentage (5%) points based on Respondent’s previous experience in implementing a similar small business program in project(s) for the last 3-5 years (Public and/or Private) as follows:

- Respondent has implemented a small business type program and attained the Contracting goals specified by the client;
- Respondent has implemented a successful small business program in a private sector project;
- Respondent has a policy supporting the use of small, minority and women-owned businesses in their own Contracting program;
- Respondent has demonstrated experience in using small businesses in all Contracting opportunities;
- Respondent’s small business program has received recognition and/or award.

SBEDA UTILIZATION (Up to 5 points)

Up to five percentage (5%) points will be awarded for the extent of Minority, Women, and African-American Owned Business utilization opportunities already identified by Respondent in connection with this Project or Projects and whether Respondent has been pro-active in assembling a Pre-Construction Project Team with Minority, Women-Owned and African-American businesses at levels corresponding to the City’s Professional Services Contract Category goals identified in Attachment A of Ordinance “2007-04-12-0396.” Respondents will be awarded 1 point for each of the following goals attained.

- |   |      |
|---|------|
| ▪ Minority Business Enterprise (MBE)          | 31%  |
| ▪ Women Business Enterprise (WBE)             | 10%  |
| ▪ African-American Business Enterprise (AABE) | 2.2% |

Up to 2 points may be earned for exceeding goals.

EMERGING-DIVERSITY BUSINESS PLAN (Up to 5 points)

Emerging-Diversity Business plan on eligible projects for Diversity Participation, including but not limited to:

- Plan to package work element into economically feasible units that facilitate diversity participation;
- Bonding and Insurance Assistance;
- Negotiating Joint venture and/or Partnership;
- Quick Pay Agreements;
- Outreach Efforts.

<b>Evaluation Criteria Summary:</b>	<b>Weighting Phase One Selection:</b>	<b>Weighting Phase Two Selection:</b>
<b>A. Background, Experience and Qualifications of Design-Build Team</b>	<b>Maximum 30 Points</b>	<b>N/A</b>
<b>B. Background, Experience and Qualifications of Key Project Personnel</b>	<b>Maximum 20 Points</b>	<b>Maximum 10 Points</b>
<b>C. Project Approach/Management Plan</b>	<b>Maximum 30 Points</b>	<b>Maximum 30 Points</b>
<b>D. Small Business Economic Development Advocacy Program (SBEDA) Narrative</b>	<b>Maximum 20 Points</b>	<b>Maximum 20 Points</b>
<b>E. Price Proposal</b>	<b>N/A</b>	<b>Maximum 40 Points</b>
<b>Total Maximum</b>	<b>100 Points</b>	<b>100 Points</b>

## VII. SUBMISSION INSTRUCTIONS - PHASE ONE OF SOLICITATION

When submitting a bid, proposal or SOQ in person, visitors to City Hall must allow time for security measures. Visitors to City Hall will be required to enter through the east side of the building. The public will pass through a metal detector and x-ray machine located in the lobby. All packages, purses and carried items will be scanned during regular business hours of 8:00 a.m. to 4:30 p.m. After the public proceeds through the metal detector, they will 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 will meet the visitor in the basement with a hand scanner.

Interested firms should submit Statements of Qualifications which include a one-page Executive Summary plus a maximum length of fifteen (15) pages using not less than 10-point font to address the RFQ evaluation criteria (excluding the SBEDA Narrative, required forms and attachments identified in this RFQ) and shall submit one (1) unbound original, signed in ink, eight (8) bound copies, and one (1) compact disc (CD) that contains a copy of the SOQ in Adobe PDF format in a sealed package clearly marked with the project name, "**TOWER SITE DEVELOPMENT (DESIGN AND CONSTRUCTION) SERVICES FOR PUBLIC SAFETY COMMUNICATIONS TOWER SITE**" on the front of the package. All Submittals must be received in the City Clerk's Office no later than **3:00 P.M. Local Time, on Wednesday, December 15, 2010** at the address below. Submittals that are delivered to the City prior to the above time and date may be modified provided such modifications are sealed and received by the City Clerk's Office prior to the time and date set for the deadline for the receipt of Submittals. Any Submittal or modification received after this time shall not be considered, and will be returned, unopened to the Respondent. Respondents should note that delivery to the P.O. Box address in a timely manner does not guarantee its receipt in the City Clerk's office by the deadline for submission. Therefore, Respondents should strive for early submission to avoid the possibility of rejection for late arrival.

Mailing Address: City Clerk's Office, Capital Improvements Management Services Department  
Attention: Contract Services Division, P.O. Box 839966, San Antonio, Texas 78283-3966

Physical Address: City Clerk's Office, Capital Improvements Management Services Department  
Attention: Contract Services Division, 100 Military Plaza 2<sup>nd</sup> Floor, City Hall, San Antonio,  
Texas 78205

Submittals sent by facsimile or email will not be accepted.

- B. Adherence to the maximum page criterion is critical; each page side (maximum 8 1/2" x 11") with criteria information will be counted. Pages that have project photos, charts, and graphs will be counted towards the maximum number of pages. Front and back covers, Table of Contents pages and tabbed divider pages will not be counted if they do not contain Submittal information. Resumes should not include project pictures or general firm information. The use of recycled paper is encouraged. Three-ring binders are permitted, and with regards to other types of binding, plastic (not metal) spiral, or "comb" binding is recommended. Plastic sheet or "report" covers are not encouraged, card-stock covers are sufficient. Unnecessarily elaborate brochures, artwork, bindings, visual aides, expensive paper or other materials beyond that sufficient to present a complete and effective submission are not encouraged or 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 Submittal, other than the CD specified above. Each Submittal must include the sections and attachments in the sequence listed in the RFQ Section VIII, Submittal Document Requirements, and each section must be divided by tabs and indexed in the Submittal Checklist and Table of Contents page. Failure to meet the above conditions may result in disqualification of the Submittal.
- C. Respondents who submit SOQ in response to this RFQ shall correctly reveal, disclose and state the true and correct name of the individual, proprietorship, corporation, and/or partnership (clearly identifying the responsible general partner and all other partners who would be associated with the Contract, if any). No nicknames, abbreviations (unless part of the legal title), shortened or shorthand, or local "handles" will be accepted in lieu of the full, true and correct legal name of the entity. These names shall comport exactly with the corporate and franchise records of the Texas Secretary of State and Texas Comptroller of Public Accounts. Individuals and proprietorships, if operating under other than an individual name, shall match with exact Assumed Name filings. Corporate Respondents and limited liability company Respondents shall include their 11-digit Texas Comptroller's Taxpayer Number or 9-digit Internal Revenue Service Taxpayer number on the Signature Page.
- If an entity is found to have incorrectly or incompletely stated its name or failed to fully reveal its identity on the Signature Page, the Director of the Capital Improvements Management Services Department shall have the discretion, at any point in the Contracting process, to suspend consideration of the Respondent's Submittal.
- D. All provisions in Respondent's Submittal, shall remain valid for one hundred twenty (120) days following the deadline date for submissions or, if a Proposal is accepted, throughout the entire term of the Contract.
- E. All Submittals become the property of the City upon receipt and will not be returned. Any information deemed to be confidential by Respondent should be clearly noted on page(s) where confidential information is contained. However, the City cannot guarantee that it will not be compelled to disclose all or part of any public record under the Texas Public Information Act,

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

### **VIII. SUBMITTAL DOCUMENT REQUIREMENTS – PHASE ONE OF THE SOLICITATION**

Respondent's Submittal should include the required items in the following sequence:

- A. EXECUTIVE SUMMARY - Respondents shall include a one- to two-page Executive Summary for the SOQ. The Summary shall include a statement of how the TSD firm intends to use the design build method utilizing the Owners Design Criteria to deliver, accomplish and perform each specific service for the delivery of this tower facility.
- B. SUBMITTAL COVER/SIGNATURE SHEET - (Attachment 1 to this RFQ): Respondent must complete, sign, and include the Submittal Cover/Signature Sheet with the Submittal. The Submittal Cover/Signature Sheet must 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. The Cover Page/Signature Sheet shall be indexed as Tab "1" in the submittal.
- C. SUBMITTAL CHECKLIST (Attachment 2 to this RFQ): Respondent must complete and utilize this form that shall be used as the Table of Contents for the TSD firm/team's Submittal (indexed as Tab "2" in the submittal).
- D. RESPONDENT'S GENERAL QUESTIONNAIRE (Attachment 3 to this RFQ), indexed as Tab "3" in the submittal.
- E. DISCRETIONARY CONTRACTS DISCLOSURE FORM (Attachment 4 to this RFQ): All proposed parties to the Contract with the City shall complete and return this form with the Submission. Co-Respondents are two or more entities proposing as a team or joint venture with each signing the Contract, if awarded. This form should be indexed or labeled as Tab "4" in the submittal.
- F. LITIGATION DISCLOSURE FORM (Attachment 5 to this RFQ) – Completed Litigation Disclosure form as found in RFQ Attachment 5 and additional pages for explanation, if necessary, indexed or labeled as Tab "5" in the submittal.
- G. STATEMENT OF QUALIFICATIONS: The Respondent's SOQ should be submitted in narrative form and should cover all items included in Section VI. This section is limited to fifteen (15) pages not including forms, attachments, or tabs (if blank) and should be indexed or labeled as Tab "6" in the submittal.

- H. TEAM ORGANIZATIONAL CHART: Provide a detailed organizational chart or graphic representation of the proposed team identifying key personnel as requested in Section VI of the RFQ. The organizational chart shall be indexed or labeled as Attachment “A”, in the submittal.
- I. PROOF OF BONDABILITY AND INSURABILITY: (Indexed and labeled as Attachment “E” in submittal) Submit a letter from insurance provider stating provider’s commitment to insure the Respondent for the types of coverages and at the levels specified in the attached General Conditions for City of San Antonio Building Design Build Contracts (RFQ Exhibit A) if awarded a contract in response to this solicitation process. Respondent shall also submit a copy of their current insurance certificate. Respondent shall also submit a letter of intent from their bonding company stating in specific terms that the bonding company (Surety) is prepared to issue both payment and performance bonds to the full value of the proposal tendered for each project awarded in response to this solicitation.
- J. SMALL BUSINESS ECONOMIC DEVELOPMENT ADVOCACY (SBEDA) NARRATIVE: This must be provided in narrative form, labeled as Attachment “C” to the submittal and based on the evaluation criteria described in Section VI. The narrative should outline the commitment of the TSD firm/team to achieve the City’s small business goals. A Good Faith Effort Plan should not be submitted. This section is limited to four (4) pages.
- K. RESUMES (Optional): Labeled as Attachment “B” to submittal. Resumes for each key team member shall be limited to a maximum length of two (2) pages (no company information) and shall supplement the information provided in response to Section VI.B. of this RFQ.
- L. LETTERS OF REFERENCE (Optional): Respondent may provide a maximum of 5 letters of reference, labeled as Attachment “D” to submittal.

Respondent is expected to examine this RFQ carefully, and understand the terms and conditions for providing the services listed herein and respond completely. Failure to complete and provide any of the above-referenced documents may result in the Respondent’s Submittal being deemed non-responsive and, therefore, disqualified from consideration.

## **IX. TENTATIVE SCHEDULE FOR SELECTION PROCESS AND AWARD**

- A. Final approval of a selected Respondent or Respondents is subject to the action of the City of San Antonio City Council.
- B. Submittals may not be withdrawn within one hundred twenty (120) days from date on which submittals are received or opened.
- C. Submission of a response to this solicitation indicates Respondent’s acceptance of the evaluation technique and Respondent’s recognition that some subjective judgments must be made by the City during the evaluation.

D. The following tentative schedule has been prepared for these projects. Firms interested in this project must be available on the interview date.

SOQ Submittal Due Date:	<b>Wednesday, December 15, 2010</b>
Request for Additional Information and Price Proposal (RFP) Issued to Short-listed Firms:	<b>January 3, 2011</b>
Deadline for Submission of Additional Information and Price Proposals:	<b>January 24, 2011</b>
Interview Date (if required):	<b>January 31, 2011</b>
Anticipated City Council Approval of Contract Award:	<b>March 2011</b>

## **X. RESTRICTIONS ON COMMUNICATION**

A. Respondents are prohibited from communicating with elected City officials and their staff regarding the solicitation, Statements of Qualifications or Proposals from the time the solicitation has been released until the contract is posted as a City Council agenda item. Respondents are prohibited from communicating with City employees, or any outside consultant(s) assisting in the solicitation process, from the time the solicitation 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 solicitation and/or Qualification Statement/Proposal 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. Respondents may ask verbal questions concerning this RFQ at the Pre-Submission Conference.
2. Respondents may submit written questions concerning this RFQ to the Staff Contact Person listed below until no later than **4:00 p.m., on Friday, December 3, 2010**. Questions received after the stated deadline will not be answered. It is suggested that all questions be sent by electronic mail or facsimile to:

Angelica Mata, Contract Coordinator  
City of San Antonio, Capital Improvements Managements Services Department  
angelica.mata@sanantonio.gov  
Fax No.: (210) 207-5859

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

Angelica Mata, Contract Coordinator  
City of San Antonio, Capital Improvements Management Services Department  
114 W. Commerce, Room 900  
San Antonio, Texas 78205

4. Technical questions regarding issues with the City's internet or accessibility of forms will be accepted via telephone by:

Diana Vasquez, Contract Officer  
City of San Antonio, Capital Improvements Managements Services Department  
Phone: (210) 207-5872

5. Respondents and/or their agents are encouraged to contact the Small Business Outreach Office of the Economic Development Department for assistance or clarification with issues specifically related to the City's Small Business Economic Development Advocacy Program policy and/or completion of the required narrative. The point of contact is Ms. Maria Godina. Ms. Godina may be reached by telephone at (210) 207-5438 or by e-mail at [maria.godina@sanantonio.gov](mailto:maria.godina@sanantonio.gov). Contacting her or her office regarding this solicitation process after the SOQ Submittal due date is not permitted.

- B. City reserves the right to contact any Respondent to negotiate if such is deemed desirable by City.

## **XI. AWARD OF CONTRACT AND RESERVATION OF RIGHTS**

It is the intent of the City of San Antonio to award this Contract to the TSD firm/team whose services provide the best value for the City based on the selection criteria set out in this RFQ, which is phase one of the solicitation process, and in the second phase of the solicitation, as determined when considering the relative importance of price, capability and other published evaluation criteria. The City reserves the right to adopt the most advantageous interpretation of the SOQ, additional information presented and the subsequent GMP Proposals. The City is not bound to accept the lowest priced proposal if that proposal is not in the best interest of the City, as determined solely by the City.

The SOQs submitted in response to this RFQ together with the subsequent additional information and price proposal submitted by qualified Respondents in phase two of the solicitation will be analyzed based on the published criteria by the City in determining which TSD Firm will provide the best value to the City.

- A. The Contract, if awarded, will be awarded to the TSD firm/team who's Submittal is deemed most qualified to City, as determined by the selection committee, and subject to approval of the 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 solicitation on the part of City. However, final selection of TSD firm/team 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 the subsequent interview process, and to waive informalities and irregularities in the Submittals received. City also reserves the right to terminate this solicitation, and reissue a subsequent solicitation, and/or remedy technical errors in the process.
- D. City will require the selected TSD firm/team to execute a Contract in substantially the form as attached with the City, prior to City Council award. No work shall commence until City signs

- E. In the event the parties cannot negotiate and execute a Contract within the time specified by the City, the City reserves the right to terminate negotiations with the selected Respondent and commence negotiations with another Respondent.
- F. This solicitation does not commit the City to enter into a Contract, award any services related to this solicitation, nor does it obligate the City to pay any costs incurred in preparation or submission of a response or in anticipation of a Contract.
- G. The successful TSD firm/team must be able to formally invoice the City for services rendered, incorporating the SAP-generated Contract and purchase order numbers that shall be provided by the City. The City administers its design and construction management through an Internet-based management system. All vendors are required to comply with Specification 700 of the City of San Antonio Standard Construction Specifications.
- H. Conflicts of Interest. Respondent acknowledges that it is informed that the Charter of the City of San Antonio and its Ethics Code prohibit a City officer or employee, as those terms are defined in the Ethics Code, from having a financial interest in any Contract with City or any City agency such as City-owned utilities. An officer or employee has a “prohibited financial interest” in a Contract with City or in the sale to City of land materials, supplies or service, if any of the following individual(s) or entities is a party to the Contract or sale: the City officer or employee; his parent, child or spouse; a business entity in which he or his parent, child or spouse owns ten 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.
- I. Respondent is required to warrant and certify that it, its officers, employees and agents are neither officials nor employees of the City, as defined in Section 2-42 of the City’s Ethics Code. (Discretionary Contracts Disclosure – Attachment 4 in this RFQ).
- J. Independent Contractor. Respondent agrees and understands that, if selected, it and all persons designated by it to provide services in connection with a Contract, is (are) and shall be deemed to be an independent Contractor(s), responsible for its (their) respective acts or omissions, and that City shall in no way be responsible for Respondent’s actions, and that none of the parties hereto will have authority to bind the others or to hold out to third parties, that it has such authority.
- K. 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 the City, shall file a completed conflict of interest questionnaire with the City Clerk not later than the 7<sup>th</sup> business day after the date the person: (1) begins Contract discussions or negotiations with the City; or (2) submits to the City an application, response to a request for proposals or bids, correspondence, or another writing related to a potential agreement with the 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)  
<http://www.ethics.state.tx.us/forms/CIQ.pdf>.

Completed conflict of interest questionnaires may be mailed or delivered by hand to the Office of the City Clerk, if mailing a completed conflict of interest questionnaire, mail to Office of the City Clerk, P.O. Box 839966, San Antonio, TX 78283-3966. If delivering a completed conflict of interest questionnaire, deliver to: Office of the 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.

- L. All Submittals and/or any portions thereof become the property of the City upon receipt and will not be returned. Any information deemed to be confidential by Respondent should be clearly noted on the page(s) where confidential information is contained. However, the City cannot guarantee that it will not be compelled to disclose all or part of any public record under the Texas Public Information Act, since information deemed to be confidential by Respondent may not be considered confidential under Texas law, or pursuant to a Court order.
- M. Any cost or expense incurred by the Respondent that is associated with the preparation of the Submittal, the Pre-Submission Conference, if any, or during any phase of the selection process, shall be borne solely by Respondent.
- N. All provisions in Respondent's Submittal including any estimated or projected costs, shall remain valid for one hundred twenty (120) days following the deadline date for submissions or, if a Proposal is accepted, throughout the entire term of the Contract
- O. Subsequent to the issuance of this solicitation, the CIMS Department of the City reserves the right to amend it, waive any requirement or irregularity, request modifications to Submittals, providing all teams are treated equally, and reject any and all Submittals for any reason. The CIMS Department further reserves the right to award one or more Contracts for these projects as deemed in its best interest, and to request changes in the composition of any team.