

CITY OF SAN ANTONIO
AVIATION DEPARTMENT



REQUEST FOR QUALIFICATIONS for
PLANNING & DESIGN FOR RUNWAY & TAXIWAY IMPROVEMENTS (2012)

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.

Release Date: Wednesday, September 12, 2012

Due Date: Friday, October 12, 2012, 2:00 p.m.

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I. BACKGROUND

The City of San Antonio, Aviation Department (City) is seeking Statement of Qualifications (SOQ) from qualified firms interested in providing planning and design/engineering services for multiple airfield projects for the San Antonio International Airport (Airport).

The Airport, in partnership with the Federal Aviation Administration (FAA), has combined multiple airfield projects into a single priority due to their interdependencies. The majority of the services presented within this RFQ will be awarded as part of the base agreement with the intent to minimize safety & operational impacts and maximize funding opportunities. An initial phasing plan has been incorporated into the Airport's FAA Airport Capital Improvement Plan (ACIP). The selected Respondent will be expected to update the overall phasing plan, in anticipation of reasonable levels of Airport Improvement Program (AIP) funding, and provide "designs on-the-shelf".

Summary of Projects to be Included

More specifically, the agreement will include the following projects, shown graphically in RFQ Exhibit A – Project Layout;

Terminal Area Taxiways Project – This project will design and implement a phased reconstruction to sections of Taxiways G and N, phased construction of new parallel taxiways G & N; and develop a Surface Movement Guidance and Control System (SMGCS) Plan, incorporating the SMGCS Plan as appropriate into the construction phasing.

- Taxiway G – Reconstruct the eastern 1/3 portion of Taxiway G, from Runway 3/21 (4/22) to Taxiway A, and place new pavement over the grass island between the Terminal Apron and Taxiway G. This project includes, but is not limited to shoulders, lighting, signage, grading, utilities, and marking.
- Taxiway N – Reconstruct Taxiway N, from Runway 12R southwest to Runway 3/21 (4/22) and pave over a grass island between the Terminal Apron and Taxiway N, widen specific taxiway section(s), and relocate the taxiway centerline 50 feet to the southeast. The project includes but is not limited to shoulders, lighting, signage, grading, utilities, and marking.
- Parallel Taxiways G & N – Construct new parallel Taxiway N, from Taxiway G northeast to Taxiway R, and construct new parallel Taxiway G, from RW 3/21 (4/22) northwest to new parallel Taxiway N. The project includes but is not limited to shoulders, lighting, signage, grading, utilities, and marking.
- SMGCS Plan – Develop a SMGCS Plan for the Airport to submit to the FAA for formal approval, including FAA coordination for the incorporation of SMGCS infrastructure into early construction phases of projects included within this RFQ should the SMGCS Plan not yet have attained formal FAA approval. Develop and recommend an implementation plan for the FAA-approved SMGCS Plan for incorporation into existing or new ACIP projects. Upon FAA approval of the SMGCS Plan, engineering services required for the implementation of the SMGCS Plan may, at the City's discretion, be negotiated and added to the contract resulting from this RFQ by an amendment

Runway 12R Rehabilitation Project – This project will design and implement a phased pavement rehabilitation and lighting improvement project for Runway 12R and ancillary taxiway pavements in coordination with the phased Terminal Area Taxiways Project. The first phase will address, as a minimum requirement, reconstructing two localized sections of Runway 12R/30L and replacing runway touchdown zone lighting to extend its useful life. Additional project phases will address reconstructing a section of Taxiway J, rehabilitating sections of Taxiways P and R, and replacing runway lighting. The project also includes but is not limited to signage, grading, utilities, and marking.

Taxiway E Reconstruction Project – This project will design and implement reconstruction of Taxiway E, in coordination with the phased Terminal Area Taxiways Project, and in a new location yet to be determined. The project includes but is not limited to shoulders, lighting, signage, grading, utilities, and marking.

History and Existing Conditions

The City recently conducted a pavement condition survey through the Pavement Management and Maintenance Program and in partnership with the FAA. The runway pavements and taxiways pavements listed below show significant signs of distress.

- Eastern 1/3 portion of Taxiway G,
- Two separate sections of Runway 12R/30L,
- Taxiway N, starting from the connection at Runway 12R/30L to the south end of Taxiway N.

The concrete pavement is nearly 25-years old and is in need of replacement in order to maintain safe aircraft operations and extend the pavement's useful life. The grass infield areas located next to Taxiways N and G, and surrounding Terminal A, will be paved to facilitate aircraft operations during the pavement replacement.

In addition to the above survey, a 3-dimensional computer simulation was conducted at the FAA Airport Facilities Terminal Integration Laboratory (ATFIL) of aircraft movements at the Airport. The simulation results indicate that two new taxiways parallel to Runway 3/21 (Taxiway N), and Runways 30L and 30R (Taxiway G), are needed to provide better runway access and prevent any potential runway incursions.

The FAA has established new guidelines to protect high-speed and low visibility operations on the runways and enhance safe ground movement of aircraft and other vehicles on the airport. As a result, the City has to relocate Taxiway E further south to avoid the current connection point at Runway 3's Aiming Point, 1000 feet from the runway threshold.

Minimum Qualifications

The projects will be funded in whole or part by FAA grant funds. Respondents must have strong airport planning, engineering, construction management and administration, resident project inspection, and airport operations experience all in accordance with current FAA Advisory Circulars and other guidance documents. The successful Respondent's Prime will have demonstrated experience with FAA-funded runway and taxiway reconstruction project(s); demonstrated experience with Surface Movement Guidance and Control System (SMGCS)

plan development AND implementation; and demonstrated experience in sequencing and implementing a multi-year airfield pavement construction program.

Disadvantaged Business Enterprise (DBE) Program Requirements

It is the policy of the City that Disadvantaged Business Enterprises (DBEs) as defined under 49 CFR Part 26, shall have “equality of opportunity” to participate in the awarding of federally-assisted Aviation Department contracts and related subcontracts, to include sub-tier subcontracts. This policy supports the position of the U.S. Department of Transportation (DOT) and the FAA in creating a level playing field and removing barriers by ensuring nondiscrimination in the award and administration of contracts financed in whole or in part with federal funds under this contract. Therefore, on all DOT or FAA-assisted projects the DBE program requirements of 49 CFR Part 26 apply to the agreement. A full program description and associated requirements are set forth in Exhibit B.

II. SCOPE OF SERVICES

The various projects are anticipated to be completed over five funding years, and are directly dependent upon FAA AIP funding. The projects may accelerate or be extended further due to actual funding levels. Construction contract packaging shall be developed to provide maximum flexibility in accommodating varying funding levels.

The scope of services will include but is not limited to:

Planning and Design Services

- Prepare a SMGCS Plan. The selected respondent will use the latest version of FAA AC No. 120-57A “Surface Movement Guidance and Control System”, or its Airports 150 series replacement to develop a SMGCS Plan for the Airport for FAA approval. Plan development will include recommendations, multi-stakeholder coordination and review, and revisions to achieve an approvable SMCGS plan, and final documentation. The project will include coordination with the FAA for the incorporation of SMGCS infrastructure into early construction phases of projects included within this RFQ should the SMGCS Plan not yet have attained formal FAA approval. In addition, the selected respondent will develop a recommended implementation plan for the FAA-approved SMGCS plan, including but not limited to project scope, sequencing, packaging, cost estimates, and schedules for incorporation into existing or new ACIP projects.

NOTE: Upon FAA approval of the SMGCS Plan, the City, at its option, may amend the agreement resulting from this RFQ to add engineering services to implement the SMGCS Plan.

- Apply appropriate FAA ACs, Orders, and other Airport and regulatory guidance documents as required throughout project duration, to include but is not limited to:
 - Airfield planning and evaluation of impact to aircraft operations and navigational aids,
 - Develop overall construction contract sequencing and packaging strategy,
 - Develop construction phasing and sequence impacts per construction project,
 - Design of airfield pavement, drainage, grading, and associated work,
 - Design of airfield electrical circuitry, regulators, and associated work,

- Design of airfield pavement marking and guidance signs,
 - Design of FAA-owned facilities and other utility relocation,
 - Prepare and develop design documents,
 - Prepare cost estimates and schedules.
- Perform site investigations to include but not be limited to geotechnical investigations, surveys to include underground features, and review of existing record documents.
 - Provide design submittals for review, coordination, and/or approval at 35%, 65%, 95%, and 100% construction contract documents, including supporting cost estimates and schedules.
 - Incorporate the Airport's Safety Management System process at major submittal milestones or as applicable in evaluating design and construction phasing/sequencing alternatives
 - Provide Bid support services to include but not be limited to:
 - Pre-Bid agenda preparation and attendance at the Pre-Bid meetings,
 - Responding to questions and Requests For Information (RFIs),
 - Interpretation of contract documents as required,
 - Preparation of Addenda as required,
 - Performing bid evaluations, due diligence, and making recommendations for award,
 - Attendance at bid openings and contract negotiations if needed.
 - Perform Limited Phase II Environmental Assessments before mobilization and after demobilization for the construction contractor staging areas and temporary batch plants, if applicable.

Construction Services

- Provide conformed "Issue for Construction" (IFC) documents,
- ***Resident Project Representative and Resident Inspection Services*** - Provide dedicated, on-site, and licensed Resident Project Representative to oversee the dedicated Resident Inspection Services. More specifically, selected Respondent shall:
 - As Resident Project Representative, be present as an observer at the project sites through Final Completion of the construction activities. The working hours and schedules will be addressed during the contract negotiations.
 - Resident Project Representative Services shall include, but not be limited to:
 - Serving as engineer's liaison with the construction contractor(s) as required,
 - Submitting weekly construction observation reports,
 - Attending weekly construction meetings,
 - Observing and reviewing acceptance test results performed by construction contractor(s) at the frequency stated in the specifications.
 - Observations are limited to spot checking, selective measurements and similar methods of general observation of work based on the selected Respondent's professional judgment for the purpose of providing the City with a greater degree of confidence that the completed Work will conform to the construction contract documents.

- **Construction Administration Services** - Provide Construction Administration Services through completion of the project to include, but not be limited to:
 - Maintaining Shop Drawing and Submittal Logs,
 - Reviewing and approving shop drawings and samples submitted by construction contractor(s) for conformance,
 - Evaluating and determining the acceptability of substitute or “or-equal” materials or equipment proposed by construction contractor(s),
 - Responding to Requests for Information (RFIs) and maintaining the RFI Log,
 - Interpretation of construction contract documents,
 - Preparing and processing change orders, etc. to include providing review, negotiation, and recommendation on change order requests made by construction contractor(s),
 - Reviewing construction contractor applications for payment and the accompanying support documentation and recommending, in writing, the amount recommended to be paid,
 - Submitting Project closeout documentation and final report with the following documents:
 - Pre-construction documents such as construction contract schedule; agendas; meeting minutes; and contractor’s safety, quality control, and Storm Water Pollution Prevention plans,
 - Construction documents such as weekly inspection reports, monthly applications for payments, submittals and submittal log,
 - Certifications such as Stormwater, Texas Pollution Discharge Elimination System permits
 - Final documents such as final quantities computations, change orders
 - Appendix materials such as construction contractors’ certified payrolls, field test results, scale tickets, etc.

Post Construction Services

- Prepare as-built drawings and provide in hard copy, electronic (PDF), Airport GIS (AGIS), and MicroPaver formats,
- Prepare a final test and quality control report documenting the results of all tests performed, highlighting those tests that failed or that did not meet the applicable test standard. The report shall include the pay reductions applied and the reasons for accepting any out-of-tolerance material.
- Perform warranty inspections.

All phases of the work will require close interaction and coordination with the City and local and regional FAA offices as required by City.

Other Requirements

Personnel provided by Selected Respondent must be able to obtain proper TSA security clearances, to include the required background check for airfield access. Selected Respondent shall be responsible for either having all sub-consultants properly badged or providing escorts to sub-consultants. Driving within the secured areas of the airfield will be required. See RFQ Exhibit C - Procedures for Obtaining Airport Personnel Identification Badge & Airfield Driver’s License.

In addition to standard requirements contained in the City's Professional Services Agreement (RFQ Exhibit D), the selected respondent will be required to comply with provisions of FAA Advisory Circular (AC) 150/5100-14D "Architectural, Engineering, and Planning Consultant Services for Airport Grants Projects", or its most current version. This AC can be obtained through the internet at <http://www.faa.gov/>. Note: Selected Respondents and their sub-consultants will be expected to provide substantiation for labor, overhead & burden rates to meet the requirements outlined in FAA Advisory Circular (AC) 150/5100-14D "Architectural, Engineering, and Planning Consultant Services for Airport Grants Projects", or its most current version. To meet the Overhead substantiation requirements, the selected Respondent will be asked to submit an Audited Overhead supported by the Report of Independent Auditors that accompanied the Audited Overhead. Selected Respondent may also submit a DCAA (Defense Contract Audit Agency) audit or other governmental agency audit report.

III. TERM OF AGREEMENT

An agreement, resulting from this RFQ, would commence on or about 10 days from the effective date of City Council approval and upon execution by both parties. It shall remain in force for a period which may reasonably be required for the completion of the projects listed in this RFQ.

IV. PRE-SUBMITTAL CONFERENCE

A Pre-Submittal Conference will be held at the **San Antonio International Airport, Terminal 1, Mezzanine Conference Room**, 9800 Airport Boulevard, San Antonio, Texas 78216 at **2:00 p.m., Local Time, on Friday, September 21, 2012**. Attendance at the Pre-Submittal Conference is optional, but highly recommended. The Pre-Submittal Conference can be accessed by teleconference by dialing 1-877-226-9790 and entering the access code #8813501.

Respondents are encouraged to prepare and submit their questions in writing five (5) 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/RFQListings/>.

This meeting place is accessible to disabled persons. The Terminal 1 Mezzanine Conference Room is wheelchair accessible. The accessible entrance is located at 9800 Airport Blvd, Terminal 1. Accessible parking spaces are located within Airport Short Term Parking. 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. Respondents are encouraged to resubmit their questions in writing, to the City Staff person

identified in Section VIII – Restrictions on Communication, after the conclusion of the Pre-Submittal Conference.

V. SOQ REQUIREMENTS

Respondent’s SOQ shall include the following items in the following sequence, tabbed and noted with the appropriate heading as indicated below.

TABLE OF CONTENTS

TAB A – EXECUTIVE SUMMARY: The summary shall include a statement of the work to be accomplished, how Respondent proposes to accomplish and perform each specific service and unique problems perceived by Respondent and their solutions. (The Executive Summary shall be no more than 4 pages in length.)

TAB B – GENERAL INFORMATION FORM: Complete and submit RFQ Attachment 1.

TAB C – RESPONDENT NARRATIVE: Complete and submit RFQ Attachment 2.

NOTE: The remaining document requirements listed for Tabs D – I are to be placed within Respondent’s ORIGINAL proposal only. Additional copies are not required.

TAB D – DISCRETIONARY CONTRACTS DISCLOSURE FORM – Complete, print, sign and submit the Discretionary Contracts Disclosure located online at:

<http://www.sanantonio.gov/eforms/atty/DiscretionaryContractsDisclosure.pdf>

TAB E – LITIGATION DISCLOSURE FORM: Complete and submit RFQ Attachment 3. If Respondent is proposing as a team or joint venture, then all persons or entities who will be parties to the agreement (if awarded) shall complete and return this form.

TAB F – DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM REQUIREMENTS: Complete, sign and submit the DBE Good Faith Effort Plan for Federally Funded Contracts (DBE Form 1), and Letter of Intent for Federally Funded Contracts (DBE Form 2). Prepare and submit a Narrative Statement for full Compliance, sign and submit the DBE Good Faith Effort Plan which is included as Attachment 4.

TAB G – PROOF OF INSURABILITY: 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 this RFQ if awarded a contract in response to this RFQ. Respondent shall also submit a copy of their current insurance certificate.

TAB H – SIGNATURE PAGE: Complete, sign and submit RFQ Attachment 5. The Signature Page must be signed by a person, or persons, authorized to bind the entity, or entities, submitting the SOQ. SOQs signed by a person other than an officer of a corporate respondent or partner of partnership respondent shall be accompanied by evidence of authority.

TAB I – SOQ CHECKLIST: Complete and submit RFQ Attachment 6.

Respondent is expected to examine this RFQ carefully, understand the terms and conditions for providing the services listed herein and respond completely. FAILURE TO COMPLETE AND PROVIDE ANY OF THESE SOQ REQUIREMENTS MAY RESULT IN THE RESPONDENT'S SUBMISSION BEING DEEMED NON-RESPONSIVE AND THEREFORE DISQUALIFIED FROM CONSIDERATION.

VI. AMENDMENTS TO RFQ

Amendments to the RFQ, including written responses to questions received in compliance with Section VIII, Restrictions on Communication, may be posted as addendums on the 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 response. A Respondent who does not have access to the Internet, must notify City in accordance with Section VIII, Restrictions on Communication, that Respondent wishes to receive copies of addendums by mail or fax.

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.

VII. SUBMISSION OF SOQs

- A. Respondent shall submit: One (1) original, signed in ink, eight (8) copies of the SOQ, and one (1) compact disk (CD) containing an Adobe PDF version of the entire SOQ. Respondent shall submit these items in a sealed package, clearly marked on the front of the package: **"Planning & Design for Runway & Taxiway Improvements (2012)"**.

All SOQs must be received in the City Clerk's Office no later than **2:00 p.m., Local Time, on Friday, October 12, 2012** at the address below. SOQs submitted 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 submission of SOQs. Any SOQ 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, Attn: Aviation Department
P.O. Box 839966
San Antonio, Texas 78283-3966

Physical Address:

City Clerk's Office, Attn: Aviation Department
100 Military Plaza
2nd Floor, City Hall
San Antonio, Texas 78205

SOQs sent by facsimile or email will not be accepted.

- B. SOQ Format: Each SOQ shall be typewritten, single spaced and submitted on 8 ½” x 11” white paper inside a three ring binder. The use of recycled paper and materials is encouraged. Unnecessarily elaborate brochures, artwork, bindings, visual aides, expensive paper or other materials beyond that sufficient to present a complete and effective submission are not required. Font size shall be no less than 12-point type. All pages shall be numbered and printed two-sided. Margins shall be no less than 1” around the perimeter of each page. Electronic files, websites, or URLs shall not be submitted in lieu of the printed SOQ. Each SOQ must include the sections and attachments in the sequence listed in the RFQ Section V, SOQ Requirements, and each section and attachment must be indexed and divided by tabs and indexed in a Table of Contents page. Failure to meet the above conditions may result in disqualification of the SOQ or may negatively affect scoring.
- C. Respondents who submit SOQs to this RFQ shall correctly 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 short-hand, 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 the 11-digit Comptroller's Taxpayer Number on the General Information form found in this RFQ as Attachment 1.

If an entity is found to have incorrectly or incompletely stated its name or failed to fully reveal its identity on the General Information form, the Director of Aviation shall have the discretion, at any point in the contracting process, to suspend consideration of the SOQ.

- D. All provisions in Respondent’s SOQ, including any estimated or projected costs, shall remain valid for ninety (90) days following the deadline date for submissions or, if a SOQ is accepted, throughout the entire term of the contract.
- E. All SOQs 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.
- F. Any cost or expense incurred by the Respondent that is associated with the preparation of the SOQ, the Pre-submittal conference, if any, or during any phase of the selection process, shall be borne solely by Respondent.

VIII. RESTRICTIONS ON COMMUNICATION

A. Respondents are prohibited from communicating with:

- 1) **Elected City officials and their staff** regarding the RFQ or SOQs from the time the RFQ has been released until the contract is posted as a City Council agenda item; and
- 2) **City employees** from the time the RFQ has been released until the contract is awarded.

The above 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 SOQ submitted by Respondent. Violation of this provision by Respondent and/or its agent may lead to disqualification of Respondent’s SOQ from consideration.

Exceptions to the above Restrictions on Communication with **City employees** include:

1. Respondents may ask verbal questions concerning this RFQ at the Pre-Submittal Conference.
2. Respondents may submit written questions concerning this RFQ to the Staff Contact Person listed below **until 2:00 p.m., Local Time, on Tuesday, October 2, 2012**. Questions received after the stated deadline will not be answered. It is suggested that all questions be sent by email to:

Diane Cook, Project Control Manager
City of San Antonio, Aviation Planning & Development
diane.cook@sanantonio.gov

However, questions sent by mail will also be accepted and should be addressed to:

Diane Cook, Project Control Manager
City of San Antonio, Aviation Planning & Development
9800 Airport Boulevard
San Antonio, Texas 78216

If submitting questions by mail, it is recommended to send as certified mail, return receipt requested.

Questions submitted and the City’s responses will be posted in the form of an Addendum to the City's web site at <http://epav.sanantonio.gov/RFPListings/>.

3. Respondent and/or their agents may contact the Aviation Department’s DBE Liaison Officer for assistance or clarification with issues specifically related to the DBE policy as attached **Exhibit B** and/or completion of the DBE Forms and Narrative Statement. Point of contact is Ms. Lisa Brice, who may be reached via telephone at **(210) 207-3505** or through e-mail at lisa.brice@sanantonio.gov. Respondents and/or their agents may contact Ms. Brice at any time prior to the due date for submission of SOQs. Contacting her or her offices regarding this RFQ after the SOQ due date is not permitted.

4. Respondents may provide responses to questions asked of them by the Staff Contact Person after SOQs are received and opened. During interviews, if any, verbal questions and explanations will be permitted. If interviews are conducted, Respondents shall not bring lobbyists. The City reserves the right to exclude any persons from interviews as it deems in its best interests.
 5. Upon completion of the evaluation process, Respondents shall receive a notification letter indicating the recommended firm and anticipated City Council agenda date. Respondents desiring a review of the solicitation process may submit a written request no later than seven (7) calendar days from the date letter was sent. The letter will indicate the name and address for submission of requests for review.
- B. City reserves the right to contact any Respondent to negotiate if such is deemed desirable by City. Such negotiations, initiated by City staff persons, shall not be considered a violation by Respondent of this section.

IX. EVALUATION CRITERIA

The City will conduct a comprehensive, fair and impartial evaluation of all submittals received in response to this RFQ. The City may appoint a selection committee to perform the evaluation. Each submittal will be analyzed to determine overall responsiveness and qualifications under the RFQ. Criteria to be evaluated may include the items listed below. The selection committee may select all, some or none of the Respondents for interviews. If the 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. The City may also request additional information from Respondents at any time prior to final approval of a selected Respondent. The City reserves the right to select one or none of the Respondents to provide services. Final approval of a selected Respondent is subject to the action of the City of San Antonio City Council. Evaluation criteria are:

- A. Background, Experience and Qualifications of the Prime Firm (35%)
- B. Background, Experience and Qualifications of Sub-Consultants (20%)
- C. Project Approach/Management Plan (25%)
- D. Disadvantaged Business Enterprise Program (DBE) (20%):
 1. The selection process for this RFQ will utilize the following selection criteria for Affirmative Action and DBE/ACDBE participation evaluation purposes:
 - a. Firm(s) presented a Business Diversity Plan and/or policy to the City.
 - b. Firm(s) presented a positive historical DBE/ACDBE utilization on previous contracts.
 - c. Firm(s) includes DBE/ACDBEs in significant and meaningful project involvement.
 - d. Firm(s) meets the DBE/ACDBE goal.
 2. Respondent must provide a Narrative Statement describing Item a - business diversity plan; Item b - positive historical DBE/ACDBE utilization on previous contracts; and Item c -

DBE/ACDBEs in significant and meaningful project involvement. **Note:** Narrative responses shall be included with SOQ submittal, placed at the end of the DBE/ACDBE section.

3. The following DBE/ACDBE Participation Percentage Points (20% total) shall be utilized for the award of this project:
 - a. Up to 10 percentage (10%) points based on Respondent's meeting the following criteria:
 - Outreach to small business community
 - Respondent has achieved significant and meaningful diversity in its team compilation
 - Respondent has shown positive DBE/ACDBE utilization on previous contracts
 - b. Up to 10 percentage (10%) points based on Respondent's meeting the DBE/ACDBE goal.
 - Percentage points will be based on the percentage of the goal met.
 - Respondents meeting the goal will receive 10 points.
 - Respondents attaining 50% of the goal will receive 5 points.
 - Respondents attaining 25% of the goal will receive 2.5 points

Less than 25% will be evaluated proportional to the level of utilization identified by the Respondent.

X. AWARD OF CONTRACT AND RESERVATION OF RIGHTS

- A. City reserves the right to award one, more than one or no contract(s) in response to this RFQ.
- B. The Contract, if awarded, will be awarded to the Respondent(s) whose SOQ is deemed most advantageous to City, as determined by the selection committee, upon approval of the City Council.
- C. City may accept any SOQ 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.
- D. City reserves the right to accept one or more SOQs or reject any or all SOQs received in response to this RFQ, and to waive informalities and irregularities in the SOQs received. City also reserves the right to terminate this RFQ, and reissue a subsequent solicitation, and/or remedy technical errors in the RFQ process.
- E. City will require the selected Respondent(s) 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 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 on City until approved by the City Attorney. In the event the parties cannot negotiate and execute a contract within the time specified, City reserves the right to terminate negotiations with the selected Respondent and commence negotiations with another Respondent.

- F. This RFQ does not commit City to enter into a Contract, award any services related to this RFQ, nor does it obligate City to pay any costs incurred in preparation or submission of a SOQ or in anticipation of a contract.
- G. If selected, Respondent will be required to comply with the Insurance and Indemnification Requirements established herein.
- H. The successful Respondent 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.
- I. 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 (10) percent or more of the voting stock or shares of the business entity, or ten (10) 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 subconsultant on a City contract, a partner or a parent or subsidiary business entity.

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 – form may be found online at <https://www.sanantonio.gov/eforms/atty/DiscretionaryContractsDisclosure.pdf>.)

- J. Independent Consultant. Respondent agrees and understands that, if selected, it and all persons designated by it to provide services in connection with a contract, are and shall be deemed to be an independent consultants, responsible for 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 7th 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 SOQs 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 at <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, 2nd floor, 100 Military Plaza, San Antonio, TX 78205. Respondent should consult its own legal advisor for answers to questions regarding the statute or form.

XI. SCHEDULE OF EVENTS

Following is a list of **projected dates/times** with respect to this RFQ:

RFQ Release Date	Wednesday, September 12, 2012
Pre-Submittal Conference	Friday, September 21, 2012; 2:00 p.m.
Final Questions Accepted	Tuesday, October 2, 2012; 2:00 p.m.
SOQs Due	Friday, October 12, 2012; 2:00 p.m.
Interviews, if any *	Tuesday, October 30, 2012

* Interviews, if any, may be conducted on this date. Respondents are encouraged to save-the-date.

RFQ ATTACHMENTS

THE DOCUMENTS THAT FOLLOW ARE FORMS THAT MUST BE ATTACHED TO YOUR SOQ IN THE ORDER INDICATED IN RFQ SECTION V, WHICH IS ENTITLED “SOQ REQUIREMENTS”

RFQ ATTACHMENT 1

GENERAL INFORMATION

1. Respondent Information: Provide the following information regarding the Respondent.

(NOTE: Co-Respondents are two or more entities proposing as a team or joint venture with each signing the contract, if awarded. Sub-consultants are not Co-Respondents and should not be identified here. If this response includes Co-Respondents, provide the required information in this Item #1 for each Co-Respondent by copying and inserting an additional block(s) before Item #2.)

Respondent Name: _____

(NOTE: Give exact legal name as it will appear on the contract, if awarded.)

Principal Address: _____

City: _____ State: _____ Zip Code: _____

Telephone No. _____ Fax No: _____

Website address: _____

Year established: _____

Provide the number of years in business under present name: _____

Social Security Number or Federal Employer Identification Number: _____

Texas Comptroller's Taxpayer Number, if applicable: _____

(NOTE: This 11-digit number is sometimes referred to as the Comptroller's TIN or TID.)

DUNS NUMBER: _____

Business Structure: Check the box that indicates the business structure of the Respondent.

Individual or Sole Proprietorship If checked, list Assumed Name, if any:

Partnership

Corporation If checked, check one: For-Profit Nonprofit

Also, check one: Domestic Foreign

Other If checked, list business structure: _____

Printed Name of Contract Signatory: _____

Job

Title:

(NOTE: This RFQ solicits SOQs to provide services under a contract which has been identified as "High Profile". Therefore, Respondent must provide the name of person that will sign the contract for the Respondent, if awarded.)

Provide any other names under which Respondent has operated within the last 10 years and length of time under for each: _____

Provide address of office from which this project would be managed: _____

City: _____ State: _____ Zip Code: _____

Telephone No. _____ Fax No: _____

Annual Revenue: \$ _____

Total Number of Employees: _____

Total Number of Current Clients/Customers: _____

Briefly describe other lines of business that the company is directly or indirectly affiliated with: __

List Related Companies: _____

2. **Contact Information:** List the one person who the City may contact concerning your SOQ or setting dates for meetings.

Name: _____ Title: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone No. _____ Fax No: _____

Email: _____

3. Does Respondent anticipate any mergers, transfer of organization ownership, management reorganization, or departure of key personnel within the next twelve (12) months?

Yes No

4. Is Respondent authorized and/or licensed to do business in Texas?

Yes No If "Yes", list authorizations/licenses.

5. Where is the Respondent's corporate headquarters located? _____

6. **Local/County Operation:** Does the Respondent have an office located in San Antonio, Texas?

Yes No If "Yes", respond to a and b below:

a. How long has the Respondent conducted business from its San Antonio office?

Years _____ Months _____

b. State the number of full-time employees at the San Antonio office. _____

If "No", indicate if Respondent has an office located within Bexar County, Texas:

Yes No If "Yes", respond to c and d below:

c. How long has the Respondent conducted business from its Bexar County office?

Years _____ Months _____

d. State the number of full-time employees at the Bexar County office. _____

7. **Debarment/Suspension Information:** Has the Respondent or any of its principals been debarred or suspended from contracting with any public entity?

Yes No If "Yes", identify the public entity and the name and current phone number of a representative of the public entity familiar with the debarment or suspension, and state the reason for or circumstances surrounding the debarment or suspension, including but not limited to the period of time for such debarment or suspension.

8. **Surety Information:** Has the Respondent ever had a bond or surety canceled or forfeited?

Yes No If "Yes", state the name of the bonding company, date, amount of bond and reason for such cancellation or forfeiture.

9. **Bankruptcy Information:** Has the Respondent ever been declared bankrupt or filed for protection from creditors under state or federal proceedings?

Yes No If "Yes", state the date, court, jurisdiction, cause number, amount of liabilities and amount of assets.

10. **Disciplinary Action:** Has the Respondent ever received any disciplinary action, or any pending disciplinary action, from any regulatory bodies or professional organizations? If “Yes”, state the name of the regulatory body or professional organization, date and reason for disciplinary or impending disciplinary action.

11. **Previous Contracts:**

a. Has the Respondent ever failed to complete any contract awarded?

Yes No If “Yes”, state the name of the organization contracted with, services contracted, date, contract amount and reason for failing to complete the contract.

b. Has any officer or partner proposed for this assignment ever been an officer or partner of some other organization that failed to complete a contract?

Yes No If “Yes”, state the name of the individual, organization contracted with, services contracted, date, contract amount and reason for failing to complete the contract.

c. Has any officer or partner proposed for this assignment ever failed to complete a contract handled in his or her own name?

Yes No If “Yes”, state the name of the individual, organization contracted with, services contracted, date, contract amount and reason for failing to complete the contract.

RFQ ATTACHMENT 2

RESPONDENT NARRATIVE

Prepare and insert a narrative to address the following items. If Respondent is proposing as a team or joint venture, provide the same information for each member of the team or joint venture.

Criteria A: Background, Experience and Qualifications of Prime Firm (including Joint Venture or Partner) (35%):

In this criteria, the City will consider the relevance of past experience for all parties proposed as the Prime Consultant. Respondents should carefully review the Background and Scope of Services included in this solicitation to best determine what projects should be highlighted and explained in order to obtain the most points for its response to this section.

Required Documents are Project Sheets and Resumes:

5 Project Sheets (10 pages)

Include in Respondent's submittal a minimum of five project sheets limited to ten pages total that describe similar projects the respondent has completed within the last five years. Each project sheet should include the following:

- 1) Project Name
- 2) Name of the project owner, and if applicable, the owner's representative with whom respondent had day-to-day contact **and be willing to respond to questions**. Provide contact information for each person in the following format:
 - a) Name and Title of Contact Person: _____
 - b) Contact Person's Phone Number: _____
 - c) Contact Person's E-mail: _____
- 3) Pertinent photograph(s) of the project
- 4) Scope of the project
- 5) Budget for construction
- 6) Design and Construction dates (start/completion)
- 7) Description of services provided on the similar project and how that relates to the Scope of Services
- 8) List the team members (Prime Firm, Joint Venture Parties or Partners and major sub-consultants) along with key personnel that were assigned to, or that were under contract for, each previously completed project. Provide details regarding their respective roles and note if they are proposed to be assigned to this project, what role they will play.

Resumes of key personnel should be included

Resumes should be no more than one page in length and include:

- License type (if applicable) and number of years licensed
- Number of years employed with the Firm
- Number of years of experience in proposed role
- Experience with the use of Airport Safety Management Systems and/or participating in Safety Risk Assessments in the delivery of previous airfield projects (particularly identify if any were those projects included in the project sheets)

Criteria B: Background, Experience and Qualifications of Sub-Consultants (20%):

In this criteria, the City will consider the relevance of past experience for all parties proposed as a sub-consultant on the Team.

1. Describe the work assignments of each sub-consultant and list the Project Manager(s) for each assignment.
2. Include one page resumes for each member of the team stating professional qualifications and experience relevant to the Scope of Services of this RFQ.
3. Identify any additional relevant information about the qualifications of key sub-consultant personnel.

Criteria C: Project Approach/Management Plan (25%):

Provide a narrative description as well as specific examples of how the following techniques or procedures were used in previous projects. Response to this section is limited to 10 pages not including organizational chart.

- 1) Describe respondent's approach to overall team formation, coordination of team members, and the extent to which the team, joint ventures and/or sub-consultants have worked together in the past.
- 2) Provide a one-page Organizational Chart showing proposed staffing to include sub-consultants. Indicate relationship between firms. Provide staff names and roles;
- 3) Detail the current capacity of key team individuals, the percent of time to be spent on this project and the respondent's capabilities to complete the services outlined herein;
- 4) Briefly describe your Firm's 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 project. Include the following
 - a. Describe respondent's approach to airport project planning and programming;
 - b. Describe respondent's project management approach to include plan for dealing with unforeseen changes in teaming or staffing;
 - c. Describe respondent's approach to design management including quality control and quality assurance;
 - d. Describe respondent's approach to construction management including quality control, quality assurance, and dispute resolution
 - e. Describe respondent's approach to schedule management
- 5) Describe the respondent's approach to stakeholder involvement and to providing seamless, successful delivery of the services outlined in this RFQ.
- 6) Describe your understanding of and approach to using the Safety Management System (SMS) processes in the delivery of the project. This information should include the firm's capabilities in the use of Airport SMS process and procedures including past experience.

RFQ ATTACHMENT 3

LITIGATION DISCLOSURE

Respond to each of the questions below by checking the appropriate box. Failure to fully and truthfully disclose the information required by this Litigation Disclosure form may result in the disqualification of your response from consideration or termination of the contract, once awarded.

1. Have you or any member of your Firm or Team to be assigned to this engagement ever been indicted or convicted of a felony or misdemeanor greater than a Class C in the last five (5) years?

Yes No

2. Have you or any member of your Firm or Team to be assigned to this engagement been terminated (for cause or otherwise) from any work being performed for the City of San Antonio or any other Federal, State or Local Government, or Private Entity?

Yes No

3. Have you or any member of your Firm or Team to be assigned to this engagement been involved in any claim or litigation with the City of San Antonio or any other Federal, State or Local Government, or Private Entity during the last ten (10) years?

Yes No

If you have answered “Yes” to any of the above questions, please indicate the name(s) of the person(s), the nature, and the status and/or outcome of the information, indictment, conviction, termination, claim or litigation, as applicable. Any such information should be provided on a separate page, attached to this form and submitted with your response.

1. List all firms you contacted with subcontracting/supply opportunities for this project that will not be utilized for this contact by choice of either the proposer, subcontractor, or supplier. *Written notices to firms contacted by the proposer for specific scopes of work identified for subcontracting/supply opportunities must be provided to subcontractor/supplier not less than five (5) business days prior to bid/proposal due date. The following information is required for all firms that were contacted of subcontracting/supply opportunities:*

Name & Address of Company	Scope of Work/Supplies to be Performed/ Provided by Firm	Estimated Contract Amount or % Level of Participation	If Firm is DBE Certified, Provide Certification Number	Date Written Notice Was Sent and Method (Letter, Fax, E-mail)	Reason Agreement Was Not Reached
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

(Use additional sheets as needed)

In order to verify a proposer’s good faith efforts, it may be necessary to provide the City with copies of the written notices to all firms contacted by the proposer for specific scopes of work identified in relation to the subcontracting/supply opportunities in the above named project. If requested by the DBE Liaison, copies of said notices must be provided to the DBE Liaison within five (5) business days of such request. Such notices shall include information on the plans, specifications and scope of work.

3. Did you attend the pre-proposal conference scheduled by the City for this project? _____ Yes _____ No

4. List all DBE listings or directories, contractor associations, and/or any other associations utilized to solicit DBE subcontractors/suppliers:

5. Discuss efforts made to define additional elements of the work proposed to be performed by DBEs in order to increase the likelihood of achieving the goal:

6. Indicate advertisement mediums used for soliciting bids from DBEs. (Please attach a copy of the advertisement(s):

7. Discuss efforts made to assist interested DBEs in obtaining bonding, lines of credit, or insurance:

8. Discuss efforts made to assist interested DBEs in obtaining necessary equipment, supplies, materials, or related assistance or services:

9. Name and phone number of person appointed to coordinate and administer the Federal DBE Good Faith Efforts of your company on this project.

Name: _____ Title: _____

Phone Number: _____

AFFIRMATION

I HEREBY AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE. I FURTHER UNDERSTAND AND AGREE THAT, THIS DOCUMENT SHALL BE ATTACHED THERETO AND BECOME A BINDING PART OF THE CONTRACT.

NAME AND TITLE OF AUTHORIZED OFFICIAL: _____

SIGNATURE: _____ DATE: _____

FOR San Antonio INTERNATIONAL AIRPORT USE ONLY:

Plan Reviewed by _____ Date: _____

Signature of DBE Liaison

Recommendation: Approval: _____ Denial: _____

Action Taken: Approved: _____ Denied: _____

NAME OF PROJECT: Planning & Design for Runway & Taxiway Improvements (2012)

DECLARATION OF PRIME CONTRACTOR

I hereby declare and affirm that I am the

(Title of Declarant)

and a duly authorized representative of

(Name of Prime Contractor)

to make this declaration and that I have personally reviewed the material and facts set forth in this Intent to Perform form. To the best of my knowledge, information and belief, the facts and representations contained in this form are true, the owner or authorized agent of the firm signed this form in the place indicated, and no material facts have been omitted.

The undersigned intends to enter into a formal agreement with the listed firm for work as indicated by this form and will, if requested, provide the Airport's DBE Liaison with a copy of that agreement within three (3) business days of execution.

(Name of Declarant)

(Signature)

(Date)

SUBMIT THIS PAGE FOR EACH SUBCONTRACTOR/SUPPLIER FOR THIS CONTRACT, AS LISTED ON ITEM 1 OF DBE GOOD FAITH EFFORT PLAN FOR FEDERALLY FUNDED CONTRACTS [DBE FORM 1] AND/OR CHANGE OR ADDITION OF SUBCONTRACTORS/SUPPLIERS ON FEDERALLY FUNDED CONTRACTS (DBE FORM 3)

RFQ ATTACHMENT 5

SIGNATURE PAGE

The undersigned certifies that (s) he is authorized to submit this SOQ on behalf of the entity named below:

Respondent Entity Name

Signature: _____

Printed Name: _____

Title: _____

(NOTE: If SOQ is submitted by Co-Respondents, an authorized signature from a representative of each Co-Respondent is required. Add additional signature blocks as required.)

Co-Respondent Entity Name

Signature: _____

Printed Name: _____

Title: _____

By signature(s) above, Respondent(s) agrees to the following:

1. If Respondent is a corporation, Respondent will be required to provide a certified copy of the resolution evidencing authority to enter into the contract, if other than an officer will be signing the contract.
2. If awarded a contract in response to this RFQ, Respondent will be able and willing to comply with the insurance and indemnification requirements set out in RFQ Exhibit D.
3. If awarded a contract in response to this RFQ, Respondent will be able and willing to comply with all representations made by Respondent in Respondent's SOQ and during RFQ process.
4. Respondent has fully and truthfully submitted a Litigation Disclosure form with the understanding that failure to disclose the required information may result in disqualification of SOQ from consideration.
5. Respondent agrees to fully and truthfully submit a Respondent Questionnaire and understands that failure to fully disclose requested information may result in disqualification of SOQ from consideration or termination of contract, once awarded.
6. To comply with the City's Ethics Code, particularly Section 2-61 that prohibits a person or entity seeking a City contract - or any other person acting on behalf of such a person or entity - from contacting City officials or their staff prior to the time such contract is posted as a City Council agenda item.

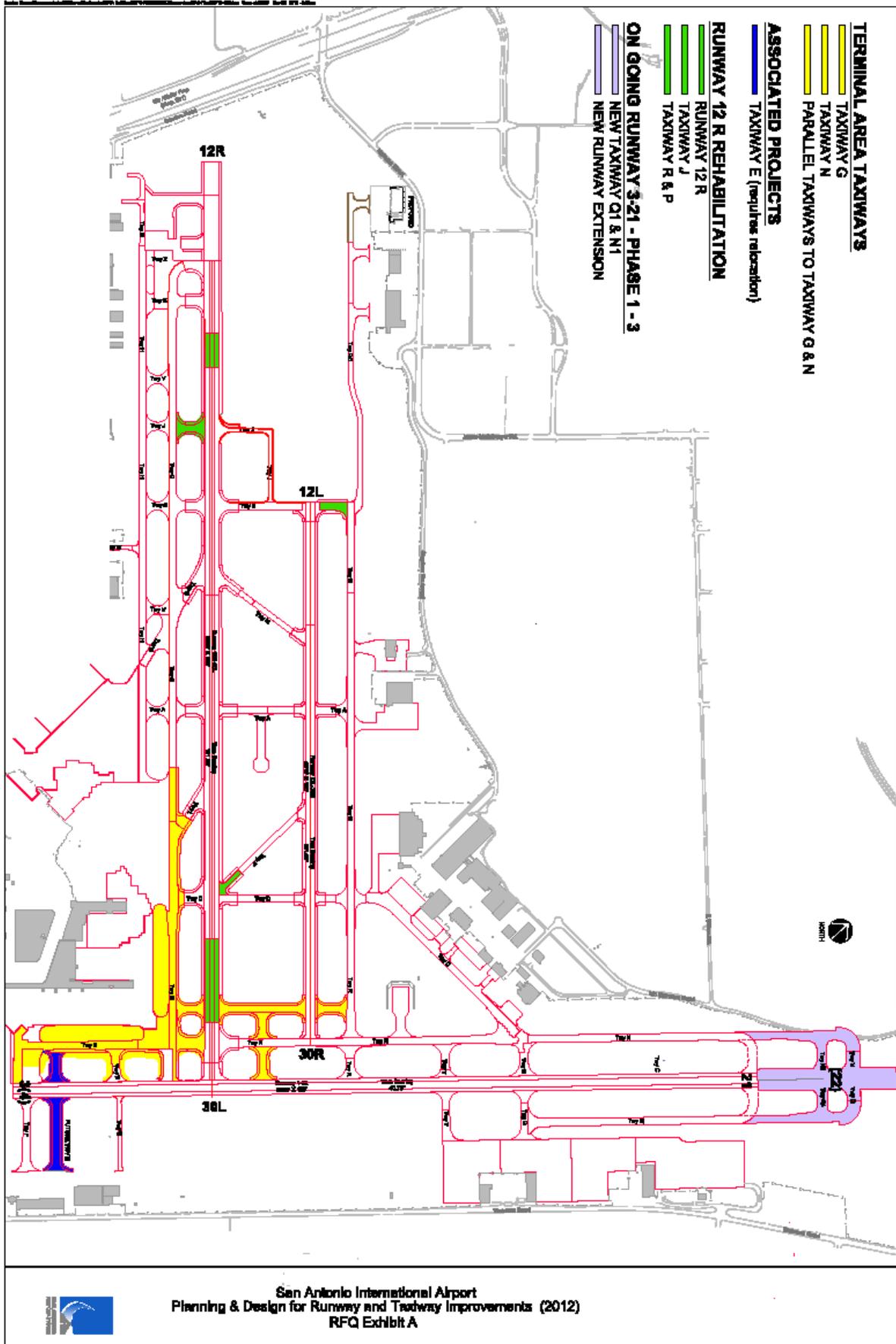
RFQ ATTACHMENT 6

SOQ CHECKLIST

Use this checklist to ensure that all required documents have been included in the SOQ and that they are properly tabbed and appear in the correct order.

Tab in Respondent's SOQ	Document	Initial to Indicate Document is Attached to SOQ
	Table of Contents	
A	Executive Summary	
B	General Information Form (Use RFQ Attachment 1)	
C	Respondent Narrative (Use RFQ Attachment 2)	
<p>NOTE: Remaining items listed in Tabs D – I are required in the ORIGINAL proposal only. Additional copies are not required, unless otherwise instructed.</p>		
D	*Discretionary Contracts Disclosure Form (Download from web address provided in RFQ Section V, TAB D)	
E	Litigation Disclosure (Use RFQ Attachment 3)	
F	<p>DBE Items including:</p> <ul style="list-style-type: none"> • *DBE Form 1 and DBE Form 2 (Use RFQ Attachment 4) - AND - • Narrative Statement <i>Provide original and one (1) copy.</i> 	
G	<p>Proof of Insurability including:</p> <ul style="list-style-type: none"> • Insurance Provider's Letter - AND - • Copy of Current Certificate of Insurance 	
H	* Signature Page (Use RFQ Attachment 5)	
I	SOQ Checklist (Use RFQ Attachment 6)	
	One (1) Original, eight (8) Copies, and one (1) CD of entire SOQ in PDF format.	

***Documents marked with an asterisk on this checklist require a signature. Be sure they are signed prior to submittal of SOQ.**



RFQ EXHIBIT B

SAN ANTONIO INTERNATIONAL AIRPORT (SAIA) DBE PROGRAM - 49 CFR PART 26 DBE PROGRAM OVERVIEW AND REQUIREMENTS

PROJECT: **Planning & Design for Runway & Taxiway Improvements (2012)**

The San Antonio International Airport has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U. S. Department of Transportation (DOT), 49 CFR Part 26. The City of San Antonio has received federal financial assistance from the Department of Transportation and as a condition of receiving this assistance, the City of San Antonio has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of the San Antonio International Airport that it will ensure that DBEs as defined in Part 26, have an equal opportunity to receive and participate in DOT assisted contracts. It is our policy:

1. To ensure nondiscrimination in the award and administration of DOT-assisted contracts.
2. To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
3. To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in DOT-assisted contracts; and
6. To assist in the development of firms that can compete successfully in the market place outside the DBE Program.

DBE OBLIGATION

The San Antonio International Airport and/or its contractor agrees to ensure that DBEs as defined in 49 CFR Part 26 have an equal opportunity to participate in the performance of contracts financed in whole or in part with federal funds provided under this agreement. In this regard the San Antonio International Airport and its contractors shall not discriminate on the basis of race, color, national origin, gender, or disability in the award and performance of DOT-assisted contracts.

DBE GOAL

The DOT regulations require that overall project goals be calculated consistent with the process in Section 26.45 for setting goals under DOT assisted projects (49 CFR Section 23.95 [a]). The San Antonio International Airport has applied the two-step process as outlined in 49 CFR Section 26.45. This two-step process consists of determining the relative availability of DBEs ready, willing, and able in the local market area (“base figure”). Step 2 is to adjust the “base figure” percentage from Step 1 so that it reflects as accurately as possible the DBE participation the City would expect in the absence of discrimination based on past participation. The local market area is defined as Bexar County, Texas, unless otherwise noted.

A firm submitting a proposal for this project is asked to make good faith efforts to meet or exceed the goal for DBE participation. All respondents that do not meet the goals set for this project are subject to good faith efforts review. The City will evaluate the respondent's good faith efforts to achieve DBE goals.

THE DBE GOAL FOR PLANNING & DESIGN FOR RUNWAY & TAXIWAY IMPROVEMENTS (2012) UNDER THE CONTRACT IS 11%

CERTIFICATION

1. A contractor/bidder/proposer shall submit to the City a copy of the DBE Certification Affidavit, for all DBE firms utilized or proposed to be utilized as subcontractors or suppliers in the performance of work on said project with the Letter of Intent (DBE Form 2).
2. The Certification Affidavit must be from a firm that has been certified by one of the five (5) certifying agencies of the Texas Unified Certification Program (TUCP). The five agencies are: Texas Department of Transportation (TxDot), North Central Texas Regional Certification Agency (NCTRCA), South Central Texas Regional Certification Agency (SCTRCA), City of Houston, and Corpus Christi Regional Transportation Authority. Each certifying entity will maintain and process all DBE applications in their designated area throughout the state.
3. A firm must be certified on or before the bid/proposal due date in order for the firm's proposed work on the particular contract to be credited toward the DBE goal. It is not enough for a certification application to have been submitted by the deadline.

COUNTING JOINT VENTURES

Joint Ventures do not have to be fifty-one percent (51%) DBE owned in order to be counted toward the participation goal. *Joint ventures that do not include any DBE firms will not count toward the goal.* A joint venture with ownership of DBE partners in any percentage will be counted for that percentage equal to the distinct, clearly defined portion of the work of the contract that the DBE performs with its own forces, (provided the DBE ownership is real and substantial and the DBEs are performing a commercially useful function).

The required documentation to be submitted to the City, along with the proposal, for Joint Ventures with DBE partners shall include:

- a. The Joint Venture Agreement for the specific contract including a detailed statement of ownership.
- b. Corporate resolutions or other documents authorizing the firms to enter into the Joint Venture.
- c. A description of the work to be performed by all the Joint Venture Partners.
- d. Proof of current certification status of the individual DBE venture partners.

GOOD FAITH EFFORTS

The bidder/proposer shall demonstrate, to the satisfaction of the DBE Liaison that genuine efforts have been made to achieve the DBE goal. The requirements for demonstrating "good faith efforts" are set forth as follows:

1. Written notices to DBEs contacted by the bidder/proposer for specific scopes of work identified by the bidder/proposer for subcontracting opportunities not less than five (5) business days prior to bid due date. Such notices shall include information on the plans, specifications and scope of work, including the deadline for submission of interest in teaming;
2. Attendance at a pre-bid conference, if any, scheduled by the City to inform DBEs of subcontracting opportunities under a given solicitation.
3. Efforts made to define additional elements of the work proposed to be performed by DBEs in order to increase the likelihood of achieving the goals.
4. For those DBES responding affirmatively in writing to the notice required by Item 1 above,
 - (a) reasons why agreements were not reached, including written explanation for rejection of bids;
 - (b) if additional elements of work have been identified by the bidder/proposer as available for subcontracting, the bidder/proposer shall contact the Department of Economic Development or the Aviation's DBE Liaison to ascertain the availability of DBE firms in those areas.
5. Efforts to assist DBE contractors with bonding, insurance, and financing, where appropriate.
6. Seeking the assistance of the Aviation's DBE Liaison or the Department of Economic Development in contacting DBEs.
7. A bidder/proposer shall commit to the minimum percentage of DBE utilization as submitted with its bid/proposal on this contract. During the term of this contract, any unjustified failure to comply with the level of DBE participation identified in the bid/proposal shall be considered a material breach of contract.
8. If the bidder/proposer is a certified DBE and the DBE bidder/proposer intends to perform a portion of the work with its own work force, the DBE bidder/proposer must identify the work specifically by type and dollar value and must perform the work indicated with its own work forces in order to have that work counted toward the goal. (Even though the bidder/proposer is a certified DBE does not relieve the DBE bidder/proposer of the responsibility to make good faith efforts.)
9. In addition, all bidders/proposers will be required to submit the following information with the bid:
 - (a) The names and addresses of DBE firms that will participate in the contract;
 - (b) A description of the work that each DBE will perform
 - (c) The dollar amount of the participation of each DBE firm participating
 - (d) Written documentation of the bidder's/proposer's commitment to use a DBE subcontractor whose participation it submits to meet a contract goal;
 - (e) Written confirmation from the DBE that it is participating in the contract as provided in the bidder's/proposer's commitment.

EVALUATION OF GOOD FAITH EFFORTS

The good faith effort of a bidder/proposer will be evaluated by the DBE Liaison to determine whether the efforts to obtain DBE participation were those that a firm seeking subcontractors would take in the normal course of doing business; whether the steps taken had a reasonable prospect of success; and whether based upon the size, scope and complexity of the subcontract,

there were qualified DBE firms available and willing to accept the contract at a competitive price.

The following is a list of types of actions, which the DBE Liaison may consider as part of the bidder's/proposer's good faith efforts to obtain DBE participation. It is not intended to be a mandatory checklist, nor is it intended to be exclusive or exhaustive. Other factors or types of efforts may be relevant in appropriate cases.

Criteria used to evaluate “Good Faith Efforts” are as follows:

1. Soliciting through all reasonable and available means (e.g. attendance at pre-proposal conferences, advertising and/or written notices) the interest of certified DBEs who have the capability to perform the work of the contract. The bidder/proposer must solicit this interest within sufficient time to allow the DBEs to respond to the solicitation. The bidder/proposer must determine with certainty if the DBEs are interested by taking appropriate steps to follow up initial solicitations.
2. Selecting portions of the work to be performed by DBEs in order to increase the likelihood that the DBE goal will be achieved. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate DBE participation, even when the prime contractor might otherwise prefer to perform these work items with its own forces.
3. Providing interested DBEs with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation.
4. (a) Negotiating in good faith with interested DBEs. It is the bidder's/proposer's responsibility to make a portion of the work available to DBE subcontractors and/or suppliers and to select those portions of the work or material needs consistent with the available DBE subcontractors and/or suppliers, so as to facilitate DBE participation. Evidence of such negotiation includes the names, addresses, and telephone numbers of DBEs that were considered; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and evidence as to why additional agreements could not be reached for DBEs to perform the work.

(b) A bidder/proposer using good business judgment would consider a number of factors in negotiating with subcontractors, including DBE subcontractors, and would take a firm's price and capabilities as well as contract goals into consideration. However, the fact that there may be some additional costs involved in finding and using DBEs is not in itself sufficient reason for a prime contractor failure to meet the contract DBE goal, as long as such costs are reasonable. Also, the ability or desire of a prime contractor to perform the work of a contract with its own organization does not relieve the prime contractor of the responsibility to make good faith efforts. Prime contractors are not, however, required to accept higher quotes from DBEs if the price difference is excessive or unreasonable.
5. Not rejecting DBEs as being unqualified without sound reasons based on a thorough investigation of their capabilities. The contractor's standing within its industry, membership in specific groups, organizations, or associations and political or social

affiliations (for example union vs. non-union employee status) are not legitimate causes for the rejection or non-solicitation of bids in the contractor's efforts to meet the project goal.

6. Making efforts to assist interested DBEs in obtaining bonding, lines of credit, or insurance.
7. Making efforts to assist interested DBEs in obtaining necessary equipment, supplies, materials, or related assistance or services.
8. Effectively using the services of available minority/women community organizations; minority/women contractors' groups; local, state, and Federal minority/women business assistance offices; and other organizations as allowed on a case-by-case basis to provide assistance in the recruitment and placement of DBEs.
9. In determining whether a bidder/proposer has made good faith efforts, the DBE Liaison may take into account the performance of other bidders in meeting the contract. For example, when the apparent successful bidder fails to meet the contract goal, but others meet it, the DBE Liaison may reasonably raise the question of whether, with additional reasonable efforts, the apparent successful bidder could have met the goal. If the apparent successful bidder fails to meet the goal, but meets or exceeds the average DBE participation obtained by other bidders, the DBE Liaison may view this, in conjunction with other factors, as evidence of the apparent successful bidder having made good faith efforts.

RECONSIDERATION MECHANISM

The Aviation Department's DBE Liaison will evaluate the "good faith efforts" of a firm. If after reviewing the good faith efforts submitted by Bidder/Proposer, the DBE Liaison determines that the Bidder/Proposer has failed to adequately document its good faith efforts, then the Bidder/Proposer shall have the opportunity to provide written documentation or argument, to the Aviation Director, concerning the issue of whether it met the goal or made adequate good faith efforts to do so. The Bidder/Proposer will have the opportunity to meet in person with the Aviation Director to discuss the issue of whether it met the goal or made adequate good faith efforts to do so. The Aviation Director will provide a written decision on reconsideration explaining the basis of his decision. In cases of dispute, the final decision in determining whether Good Faith Efforts have been made rests with the Aviation Director.

The Aviation Director may determine that the efforts of the Bidder/Proposer substantially comply with the purpose of this program and such determination is in the best interest of the DBE Program and the City. However, if the Aviation Director determines that the Bidder/Proposer did not make good faith efforts to meet the goal, the decision is not administratively appealable to the Department of Transportation

COMPLIANCE

If a bidder/proposer is awarded a contract:

The bidder/proposer must not terminate for convenience a DBE subcontractor (or an approved substitute DBE firm) and then perform the work of the terminated subcontract with its own forces or those of an affiliate, without the City's prior written consent. When a DBE subcontractor is terminated, or fails to complete its work on the contract for any

reason, the bidder/proposer must notify the City immediately of the DBE's inability or unwillingness to perform and provide reasonable documentation. The City may withhold payment on invoice

1. line items to the contractor for contractor's failure to receive the prior written consent from the City for any changes to subcontractors and/or suppliers as reflected on contractors approved Good Faith Effort Plan (DBE Form 1) and/or Letter of Intent (DBE Form 2).
2. The Bidder/Proposer will be required to make good faith efforts to find another DBE to perform at least the same amount of work under the contract as the DBE that was terminated, to the extent needed to meet the contract goal the City has established for this contract. The Bidder/Proposer will be required to obtain the DBE Liaison's prior approval of the substitute DBE, through the submittal of Change of Subcontractors/Suppliers (DBE Form 3) and to provide copies of new or amended subcontracts, or documentation of good faith efforts. If the Bidder/Proposer fails or refuses to comply in the time specified, our office may issue a termination for default.

PROMPT PAYMENT

The Prime Contractor agrees to pay each subcontractor under this contract for satisfactory performance of its subcontract **no later than fifteen (15) days** from the date that the prime contractor has been paid by the City for invoices submitted for performance of subcontractor's work. A delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the City of San Antonio. This clause applies to both DBE and non-DBE subcontractors.

RETAINAGE PAYMENTS

The prime contractor agrees to provide subcontractor prompt and full payment of retainage within 30 days after the subcontractor's work is satisfactorily completed. In the event that the prime contractor does not provide the subcontractor prompt and full payment of retainage within 30 days, the City may elect to decline to hold retainage from prime contractors and prohibit prime contractors from holding retainage for subcontractors.

For purposes of payments (prompt and retainage), a subcontractor's work is satisfactorily completed when all the tasks called for in the subcontract have been accomplished and documented as required by the City. When a recipient has made an incremental acceptance of a portion of a prime contract, the work of a subcontractor covered by that acceptance is deemed to be satisfactorily completed.

Any delay or postponement of payment by the prime contractor, may take place only for good cause, with the City's prior written approval. The Bidder/Proposer will use appropriate alternative dispute resolution mechanisms to resolve payment disputes. Those mechanisms will be provided to the City for its review prior to the start of the contract.

PAYMENT VERIFICATION

The prime contractor shall submit a City of San Antonio Disadvantaged Business Enterprise Subcontractor/Supplier Activity and Expenditures Report to the project manager and/or contract administrator along with the monthly pay request. The report

shall be in the format required by the City and shall include all awards and payments to subcontractors/suppliers for goods and services provided under the agreement during the previous month. This report may be used by the City to verify utilization of and payment to DBEs.

The prime contractor and any subcontractor whose contracts are being counted toward the DBE requirement shall allow the City access to records relating to the contract, including but not limited to, subcontracts, payroll records, tax information and accounting records, for the purpose of determining whether the DBEs are performing the scheduled work.

CONTRACT REQUIREMENTS

The goals on this contract shall also apply to amendments that require work beyond the scope of services originally required to accomplish the project. The prime contractor is asked to make “good faith efforts” to obtain DBE participation for additional scope(s) of services. Amendments that do not alter the type of service originally required to accomplish the project may be undertaken using the subcontractor and suppliers already under contract to the prime contractor. Any amendment affecting the scope of service or value of the contract should be documented on a form acceptable to the City.

RFQ EXHIBIT C

PROCEDURES FOR OBTAINING AIRPORT PERSONNEL IDENTIFICATION BADGE AND AIRFIELD DRIVER'S LICENSE AT SAN ANTONIO INTERNATIONAL AIRPORT (SAT)

As per FAA/TSA guidelines, a person performing work in the Security Identification Display Area (SIDA), Secured Area, Sterile Area or Airport Operations Area must have a valid Personnel Identification Badge (known as a SAT badge) or be under an airport approved escort by a person having a SAT badge with the white "E" (escort endorsement) on the badge. Furthermore, each badge holder with the white "E" may escort up to two (2) unbadged individuals while keeping same under positive control at all times while in the SIDA, Secured Area, Sterile Area and/or the project site. **Note:** If the person is disqualified from receiving a SAT badge during the badge application process, or becomes disqualified after receiving a SAT badge, the individual can no longer be present anywhere within the SIDA, Secured Area, Sterile area and/or the project areas.

If driving is involved, the person must have a valid SAT badge and the appropriate airfield driver's license to operate a vehicle in the SIDA and/or the project site. If a vehicle escort is required, each SAT badge holder with the white "E" on his badge (and the appropriate airfield driver's license) may escort up to two (2) vehicles if there is only one unbadged person in each vehicle being escorted.

All vehicles operating in the SIDA or the project area must have the appropriate airport approved company signage on the vehicle. The signage must meet the following requirements: Company name must be in at least six inch (6") tall lettering and/or the company logo must be at least twelve inches (12") tall. The signage must be placed on both vertical sides of any self propelled, motorized vehicle at all times while within the SIDA or the project site. If signage is not available, an Airport issued "Top Hat" may be used for vehicles under an airport approved vehicle escort or while parked in the SIDA.

The procedures to obtain an Airport Personnel Identification Badge and/or an airport driver's license are as follows:

A) Airport Personnel Identification Badge (SAT ID Badge):

- 1) The Airport Security Personnel Identification Office (AS PIO) is located at 9623 West Terminal Drive, Bldg. #1322.
- 2) Once an Aviation Department division has notified the AS PIO of an approved City contract which will require the badging of personnel, the Contactor's designated representative for badging must call (210) 207-3526 to schedule an appointment with the AS PIO to make arrangements to become an Authorizing Signatory for all SAT badges to be issued to the Contractor's employees working on the contract. Once the Authorizing Signatory has completed the required procedures (i.e., fingerprint-based Criminal History Records Check (CHRC)), Security Threat Assessment (STA) background check, SIDA training, Authorizing Signatory training, etc.) to receive his SAT badge, he will then be authorized to approve applications for other Contractor employees under his responsibility. **Note:** If an employee of Contractor has been convicted of any of the

offenses listed in Exhibit 1 hereto, that employee will be immediately disqualified from obtaining a SAT badge and will be ineligible to perform work at SAT

- 3) All SAT ID badge applications are processed electronically via an online application process. Once the Contractor’s Authorizing Signatory has been trained successfully on his responsibilities and completed all phases of the badging process, the website address for Contractor’s employees to use to complete the application will be provided. Furthermore, the Authorizing Signatory will be provided instructions on how to setup, use and approve badge applications via the online badging system.

- 4) As of October 1, 2011 badge processing fees are:

Airport Security Badge & ID Office Service	Amount
Fingerprint-based Criminal History Records Check (CHRC)/STA	65.00
Identification Badge (new/renewal/replacement/exchange)	35.00
Non-Returned Identification Badge	75.00
Reactivation of Identification Badge (Security Violation)	
1 st Offense	25.00
2 nd Offense	50.00
3 rd Offense	75.00
Progressive Security Fee Program	Sliding Scale
AOA Parking Decal (for General Aviation leasehold only)	5.00

There is no refund for badge processing fees.

As part of the badging process, all Contractor employees are required to complete a computer-based SIDA training class. All documents necessary to complete the application process (including obtaining the applicants fingerprints to conduct a CHRC must be completed before the Contractor’s employees may attend the computer-based SIDA training class. The class is held on a first come, first served basis and is generally available during the following days/times: Monday – Thursday, 8:00 a.m. – 3:00 p.m., and Friday, 8:00 a.m. – 10:30 a.m. and 1:00 p.m. – 3:00 p.m. The SIDA class takes approximately 45 minutes to 1 hour to complete and the applicant must make a 100% on the final test to successfully complete.

RFQ EXHIBIT D

DRAFT PROFESSIONAL SERVICES AGREEMENT

(Posted as a Separate Document)