



Design-Build Request for  
Qualifications for  
Franklin Mountains State Park

Water System Development –  
New Well

Project Number 1111304





**PRE-SUBMITTAL MEETING**  
Request for Qualifications for  
a Design-Build Contractor

June 18, 2024



# Pre-Submittal Meeting Agenda

- Welcome & Introductions.
- Discuss requirements to submit a responsive proposal.
- Solicitation & award milestones.
- Evaluation criteria & format requirements for responses.
- Exhibits to the RFQ.
- Project Overview.

# GENERAL INFORMATION

Solicitation Documents and all addenda are obtained at the Comptroller's website under *Electronic State Business Daily (ESBD)* at <http://www.txsmartbuy.com/sp>.

# SUBMISSION OF RESPONSES

## Step 1

1. one (1) original signature copy of their Response, stamped “ORIGINAL”,
2. one (1) identical digital/electronic version on Flash Drive in a sealed container.

# DUE DATE

Responses for **Step 1** are due prior to **2:00 PM (CT) on July 16, 2024.**

Late responses will be returned “unreviewed”

Responses must be received prior to the deadline and should be labeled as follows:

OFFICIAL RESPONSE FOR PROJECT No. 1111304  
Design-Build Request for Qualifications for Franklin Mountains SP  
ATTN: Lyndsi Sandoval, Infrastructure Division  
4200 Smith School Road  
Austin, Texas 78744

# GENERAL INFORMATION

All questions should be submitted by email to the solicitation's single point of contact:

Lyndsi Sandoval, CTCD, CTCM, Contract Manager  
Texas Parks and Wildlife Department  
Infrastructure Division  
4200 Smith School Road  
Austin, Texas 78744  
Direct Line: 512-389-8282  
**Email:** [INFContracting@tpwd.texas.gov](mailto:INFContracting@tpwd.texas.gov)  
**Copy:** [Lyndsi.sandoval@tpwd.texas.gov](mailto:Lyndsi.sandoval@tpwd.texas.gov)

**QUESTIONS ARE DUE BY 5:00 PM 6/25/2024**

# GENERAL INFORMATION

- Addenda:
  - Clarifications or interpretation of the RFQ that materially affect or change the requirements.
  - Posted on the Electronic State Business Daily website and on TPWD's website.
- Offeror shall include all signed and dated addendum(s) with their response. Oral changes in the work made during the solicitation period are not binding. OFFEROR'S FAILURE TO ACKNOWLEDGE RECEIPT OF ADDENDA MAY RESULT IN REJECTION OF RESPONSE.
- It is the responsibility of the Offeror to obtain information regarding addenda in a timely manner.



# GENERAL INFORMATION

Texas Parks and Wildlife Department  
Infrastructure Division  
4200 Smith School Road  
Austin, Texas 78744

## ADDENDUM

Addendum Number: ## Dated: Date Posted  
Solicitation Number: Solicitation Number  
Solicitation Title: Project Title  
Due Date/Deadline: Bid due date at 2:00 PM  
Contract Manager: |

### PURPOSE OF ADDENDUM:

Except as provided herein, all terms and conditions of the document referenced herein, remain unchanged and in full force and effect. The following are official revisions, specifications and/or clarifications to this solicitation. This Addendum shall be attached to and form a part of the referenced solicitation document and any resulting awarded contract and must be considered in your response.

Respondents are advised to check for updates, addenda issuance, and proposal opening date changes through the Comptroller's website under *Electronic State Business Daily (ESBD)* at <http://www.txsmartbuy.com/sp>

### QUESTIONS AND ANSWERS

Q1: Question 1  
A1: Answer 1

Q2: Question 2  
A2: Answer 2

Attachments: List out, if any

Respondents are to acknowledge receipt of this Addendum. Return a signed copy of this notice with your response submission.

I acknowledge receipt of this addendum.

Respondent Company Name

Respondent's Authorized Signature

Date

# GENERAL INFORMATION

A Design-Build contract will be awarded utilizing a two-step process as follows:

Step 1 - qualifications statements

Step 2 - responses to additional information & Interviews

**Step 1, Request for Qualifications (RFQ)**, will result in qualification of a maximum of three (3) Offerors who will be invited to participate in **Step 2**.

**Step 2** will consist of Request for Additional Information as determined by Owner and interviews. Although the *Request for Qualifications* generally describes the criteria in Step 2, only short-listed Offerors shall submit a response to **Step 2** criteria.

# **SOLICITATION MILESTONES**

The schedule provided in the solicitation is for general planning purposes only. This schedule is subject to change.

# SOLICITATION MILESTONES

TPWD issued <i>Request for Qualifications (Step 1)</i>	May 30, 2024
Pre-submittal Meeting	10:00 AM June 18, 2024
Site Visit	10:00 AM July 10, 2024
Last Day to submit questions	5:00 PM June 25, 2024
TPWD to issue response to inquiries	June 28, 2024
<b>Qualifications Due from Offerors</b>	<b>2:00 PM July 16, 2024</b>
TPWD evaluates and selects short-listed firms	Week of July 22, 2024

# SOLICITATION MILESTONES

TPWD issues <b>Step 2</b> – <i>Request for Additional Information</i> to Short-Listed Firms ( <b>Step 2</b> )	Week of August 5, 2024
<b>Step 2</b> Reponses due	<b>Week of August 19, 2024</b>
TPWD evaluates <b>Step 2</b> responses	Week of August 26, 2024
TPWD issues invitation to Short-Listed Firms to attend Oral Interviews	September 3, 2024
TPWD interviews Short-Listed Firms	Week of September 9 , 2024
Notification to Selected Design-Build Firm	September 2024
TPWD Awards Design-Build Contract	October 2024

# SUBMISSION OF RESPONSES

## Step 1

Offerors are not required to submit a HSP in Step 1 of this RFQ.

# EVALUATION OF RESPONSES

## Step 1

Item 1 Execution of Response	Pass/Fail
Item 2 Offeror's Financial Capability	Pass/Fail
○ Letter from Surety – Ability to acquire required Bonding	
○ Dun & Bradstreet (D&B) Business Information Report	
Item 3 Acceptable Documentation	Pass/Fail
Item 4 Statements of Interest & Availability	10 points max
Item 5 Project Experience	40 points max
Item 6 Team Experience and Structure	40 points max
Item 7 Project References	10 points max

# Item 1 - Execution of Response Form

Franklin Mountains State Park  
Water System Development – New Well

Project No. 1111304

## **SECTION FIVE - EXECUTION OF RESPONSE**

---



### **SUBMIT ENTIRE EXECUTION OF RESPONSE FORM WITH RESPONSE**

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

By signature hereon, Offeror acknowledges and agrees that (1) this RFQ is a solicitation for Qualifications and is not a contract or an offer to contract; (2) the submission of Qualifications by Offeror in response to this RFQ will not create a contract between the Owner and Offeror; (3) the Owner has made no representation or warranty, written or oral, that one or more contracts with the Owner will be awarded under this RFQ; and (4) Offeror shall bear, as its sole risk and responsibility, any cost which arises from Offeror's preparation of a response to this RFQ.

By signature hereon, Offeror offers and agrees to furnish to the Owner the products and/or services more particularly described in its Qualifications, and to comply with all terms, conditions and requirements set forth in the RFQ documents and contained herein.



# Item 1 - Execution of Response Form

Franklin Mountains State Park  
Water System Development – New Well

Project No. 1111304

Under Section 161.0085 of the Texas Health and Safety Code, Offeror certifies that the individual or business entity names in the Response or contract is not ineligible to receive the specified contract.

Offeror agrees to comply with *Texas Government Code*, Title 10, Subtitle D, §2155.4441, relating to use of services contracts for products produced in the State of Texas.

By signature hereon, Offeror represents and warrants that:

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

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

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

Offeror understands (i) the requirements and specifications set forth in this RFQ and (ii) the terms and conditions set forth in the Contract under which Offeror will be required to operate;

Offeror, if selected by the Owner, will maintain insurance as required by the Contract; Reference Uniform General Conditions, Article 5, incorporated herein.

By signature hereon, Offeror certifies that all statements, information and information prepared and submitted in this document are current, complete, true and accurate. Submitting a response with a false statement or material misrepresentation made during the performance of a contract is a material breach of contract and may void the submitted response and any resulting contract.

Offeror certifies that if a Texas address is shown as the address of the Offeror on this proposal, Offeror qualifies as a Texas Bidder as defined in Section 2155.444(c) of the Texas Government Code.

If Offeror is required to make a certification pursuant to Section 2271.001 of the Texas Government Code, Offeror certifies that Offeror does not boycott Israel and will not boycott Israel during the term of the contract resulting from this solicitation. If Offeror does not make that certification, Offeror must indicate that in its Proposal and state why the certification is not required.

Offeror certifies that it is not listed in the prohibited vendors list authorized by Executive Order No. 13224, "Blocking property and prohibiting transactions with persons who commit, threaten, to commit, or support terrorism", published by the United States Department of Treasury, Office of Foreign Assets Control.

Section 2252.152 of the Texas Government Code prohibits TPWD from awarding a contract to any person who does business with Iran, Sudan, or a foreign terrorist organization as defined in Section 2252.151 of the Texas Government Code. Offeror certifies that it is not ineligible to receive the contract.

By signature hereon, the offeror acknowledges that *Texas Government Code*, Title 10, Subchapter F, §§ 2252.201-2252.205 requires that all iron or steel products produced through a manufacturing process used in this project must be produced in the United States. By signing this proposal, Offeror certifies that its price represents full compensation for compliance with the requirements of *Texas Government Code*, Title 10, Subchapter F, §§ 2252.201-2252.205.

Franklin Mountains State Park  
Water System Development – New Well

Project No. 1111304

Offeror represents and warrants that: (1) it does not, and will not for the duration of the contract, boycott energy companies or (2) the verification required by Section 2274.002 of the Texas Government Code does not apply to the contract. If circumstances relevant to this provision change during the course of the contract, Offeror shall promptly notify Owner.

Offeror verifies that: (1) it does not, and will not for the duration of the contract, have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association or (2) the verification required by Section 2274.002 of the Texas Government Code does not apply to the contract. If circumstances relevant to this provision change during the course of the contract, Offeror shall promptly notify Owner.

Pursuant to Section 2274.0102 of the Texas Government Code, Offeror certifies that neither it nor its parent company, nor any affiliate of the Offeror or its parent company, is: (1) majority owned or controlled by citizens or governmental entities of China, Iran, North Korea, Russia, or any other country designated by the Governor under Government Code Section 2274.0103, or (2) headquartered in any of those countries.

By signing this proposal, Offeror acknowledges and understands that the acceptance of funds by the Offeror or any other entity or person directly under this Contract, or indirectly through a subcontract under this Contract, shall constitute acceptance of the authority of the State Auditor's Office, Comptroller or other agency of the State of Texas, TPWD or any successor agency, to conduct an audit or investigation in connection with those funds. The Offeror further agrees to cooperate fully with the above parties in the conduct of the audit or investigation, including providing access to any information the state auditor considers relevant to the investigation or audit. The Offeror shall ensure that this paragraph concerning the State's authority to audit funds received indirectly by subcontractors through the Offeror and the requirement to cooperate is included in any subcontract it awards.

Offeror represents and warrants that the provision of goods and services or other performance under the contract will not constitute an actual or potential conflict of interest or reasonably create an appearance of impropriety.

Under Section 669.003 of the *Texas Government Code*, Offeror certifies that it does not employ, or has disclosed its employment of, any former executive head of the agency. Offeror must provide the following information in the proposal.

Name of former executive: \_\_\_\_\_  
Name of State agency: \_\_\_\_\_  
Date of separation from State agency: \_\_\_\_\_  
Position with Offeror: \_\_\_\_\_  
Date of employment with Offeror: \_\_\_\_\_

Under Section 231.006 of the *Texas Government Code*, the offeror certifies that the individual or business entity named in this contract, bid or application is not ineligible to receive the specified grant, loan or payment and acknowledges that this contract may be terminated and payment may be withheld if this certification is inaccurate in addition to other remedies set out in 231.006(f).

Offeror represents and warrants that none of its employees including, but not limited to, those authorized to provide services under the contract, were former employees of the Owner during the twelve (12) month period immediately prior to the date of execution of the contract.

# Item 1 - Execution of Response Form

Franklin Mountains State Park  
Water System Development – New Well

Project No. 1111304

Pursuant to *Texas Government Code*, Title 10, Subchapter A, §2155.004 (a), Offeror certifies that neither offeror nor any person or entity represented by offeror has received compensation from TPWD to participate in the preparation of the specifications or solicitation on which this proposal or contract is based. Under §2155.004 (b) of the *Texas Government Code*, Offeror certifies that the individual or business entity named in this proposal or contract is not ineligible to receive the specified contract and acknowledges that the contract may be terminated, and payment withheld if this certification is inaccurate.

Pursuant to *Texas Government Code*, Title 10, Subchapter A, §2155.004 (b), §2155.006 (c), and Subchapter B, §2261.053 (c), Offeror certifies that the individual or business entity named in this proposal is not ineligible to receive the specified contract and acknowledges that this contract may be terminated, and payment withheld if this certification is inaccurate.

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

Pursuant to Section 2254.0031 of the *Texas Government Code*, which incorporates by reference Section 271.904(d) of the *Texas Local Government Code*, Offeror shall perform services (1) with professional skill and care ordinarily provided by competent engineers or architects practicing under the same or similar circumstances and professional license, and (2) as expeditiously as is prudent considering the ordinary professional skill and care of a competent engineer or architect.

OFFEROR represents and warrants that all articles and services shall meet or exceed the safety standards established and promulgated under the Federal Occupational Safety and Health Act of 1970, as amended (29 U.S.C. Chapter 15).

OFFEROR represents and warrants its compliance with all applicable duly enacted state and federal laws governing equal employment opportunities.

By signature hereon, Offeror certifies that no member of the Texas Parks and Wildlife Commission, or the Executive Officers of Texas Parks and Wildlife Department, has a financial interest, directly or indirectly, in the transaction that is the subject of the contract.

OFFEROR represents and warrants that if selected for award of a contract as a result of the Solicitation, OFFEROR will submit to TPWD a Certificate of Interested Parties prior to contract execution in accordance with Section 2252.908 of the *Texas Government Code*.

Additional information can be found at:  
[https://www.ethics.state.tx.us/whatsnew/elf\\_info\\_form1295.htm](https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm)

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

**The rest of this page intentionally left blank. Signatures required on next page**

Franklin Mountains State Park  
Water System Development – New Well

Project No. 1111304

Offeror shall include all signed and dated addendum(s) with their response. Oral changes in the work made during the solicitation period are not binding.

**OFFEROR'S FAILURE TO SUBMIT EACH SIGNED AND DATED  
ADDENDUM(S) WITH THEIR RESPONSE MAY RESULT IN REJECTION OF  
RESPONSE.**

**TPWD ADDENDA ARE POSTED AT: <https://www.txsmartbuy.com/esbd>**

**The Offeror must complete, sign and return this Execution of Response as part of their response.** The Offeror's company official(s) who are authorized to commit to such a response must sign response. Failure to sign and return this form will subject the response to disqualification.

Offeror's Name: \_\_\_\_\_

Offeror's State of Texas Tax Account No: \_\_\_\_\_  
(This 11-digit number is mandatory)

If a Corporation:

Offeror's State of Incorporation: \_\_\_\_\_

Offeror's Charter No: \_\_\_\_\_

**Submitted and Certified By:**

\_\_\_\_\_  
(Offeror's Name) (Title)

\_\_\_\_\_  
(Street Address) (Telephone Number)

\_\_\_\_\_  
(City, State, Zip Code) (Email Address)

\_\_\_\_\_  
(Authorized Signature) (Date)

**END OF SECTION FIVE**

**SUBMIT ENTIRE EXECUTION OF RESPONSE FORM WITH RESPONSE.**

# Item 2: Offeror's Financial Capability

**Item 2:**      **Offeror's Financial Capability**      **Pass/Fail**

The Offeror must provide evidence of financial capability and stability. Offeror's financial capability must be appropriate to the size and scope of the project.

Offeror must submit:

Attach a letter of intent from a surety company indicating your firm's ability to bond for the entire construction cost of the project. The surety shall acknowledge that the firm may be bonded for each stage/ phase of the project, with a **potential maximum construction cost of \$2,100,000**. Bonding requirements are set forth in the Agreement and the Uniform General and Supplementary Conditions, incorporated herein. Letter should also include total bonding capacity, available bond capacity and current backlog.

Attach a copy of its Dun & Bradstreet (D&B) Business Information Report. The report must include Respondent's Viability Score and the Portfolio Comparison Score or similar ratings.

# Item 3 Acceptable Documentation

## Item 3: Acceptable Documentation

## Pass/Fail

Offeror must submit all documents required by this solicitation. Failure to submit all required documents (including those identified in other Evaluation Criteria) with acceptable responses and information meeting the applicable requirements of those documents may cause Offeror to be deemed "non-responsive" and disqualified. Offeror shall also comply with page number limitations requested in the Response Requirements of the solicitation.

Response Requirements in addition to those outlined in other Evaluation Items include the following information on your firm for the past five (5) fiscal years:

- 3.1. Legal name of the company as registered with the Texas Secretary of State. Provide sufficient documentation of Offeror's legal name and entity status signed by an authorized representative of the Offeror which clearly indicates not only the legal name and entity status, but also the capacity and authority of the person signing on behalf of Offeror. Accordingly, a partnership/joint venture must file its partnership/joint venture agreement; a corporation must file its articles and bylaws; a limited liability company must file its certificate of organization and article of organization and regulations; and, a limited partnership must file not only limited partnership agreement and the certificate of limited partnership, but also the documentation for its general partner. Offeror must file a copy of any assumed name certificate, or such limited portion of such documents reasonably establishing signature authority, as applicable.
- 3.2 Company description.
- 3.3 Physical address of the office that will be providing services.
- 3.4 Ownership, firm organization, key personnel and stability of firm
- 3.5 Mailing address
- 3.6 Telephone and facsimile numbers
- 3.7 E-mail address of company's primary contact.
- 3.8 Include name, address, and telephone number of person in your

- organization authorized to negotiate contract terms and render binding decisions on contract matters
- 3.9 Names of top management and key employees and each person's duties. Include the background and experience of these employees.
- 3.10 Staff size and availability
- 3.11 Number of years in business
- 3.12 Number of Employees by skill group
- 3.13 Provide details of any past or pending litigation within the past ten years, or claims filed, against your firm that may affect your performance under a Contract with the Owner.
- 3.14 Identify if your firm is currently in default on any loan agreement or financing agreement with any bank, financial institution, or other entity? If so, specify date(s), details, circumstances, and prospects for resolution.
- 3.15 Does any relationship exist by relative, business associate, capital funding agreement, or any other such kinship between your firm and any Owner employee, officer or member of the Texas Parks and Wildlife Commission? If so, please explain.
- 3.16 Identify if your firm is currently for sale or involved in any transaction to expand or to become acquired by another business entity? If so, please explain the impact both in organization and company direction.

# Evaluation Criteria

- Item 4 Statements of Interest & Availability 10 points max
- Item 5 Project Experience 40 points max
- Item 6 Team Experience and Structure 40 points max
- Item 7 Project References 10 points max

# END OF STEP 1



The following pages describes the criteria that will be used in Step 2 of this solicitation.  
**OFFERORS SHOULD NOT INCLUDE RESPONSES TO STEP 2.**

**SHORT-LISTED FIRMS WILL BE INVITED TO SUBMIT RESPONSES TO STEP 2 CRITERIA**

# EVALUATION OF RESPONSES

## Step 2

Item 1: Execution of Response	Pass/Fail
Item 2: Technical Approach Narrative	30 points max
Item 3: Ability to Meet Project Schedule	30 points max
Item 4: Ability to Meet Project Budget	30 points max
Item 5: Change Control	10 points max
Item 6: Phase 1 HUB Subcontracting Plan Documents	Pass/Fail
Oral Interview (if necessary)	10 points max

# **FORMAT OF RESPONSE**

Refer to Section Four of the RFQ

Each Response should be prepared simply and economically, providing a straightforward, concise description of the Offeror's ability to meet the requirements of this solicitation.

Elaborate bindings, colored displays, promotional materials and so forth are not desired. Emphasis should be on completeness, clarity of content, responsiveness to the requirements, and an understanding of the Owner's needs.



# FORMAT OF RESPONSE

Refer to Section Four of the RFQ

Offeror shall also comply with proposal requirements of the Solicitation.

Qualifications shall consist of answers to questions identified in [Section 3](#) of RFQ. Separate each section of the Qualifications by use of a divider sheet with an integral tab for ready reference. Identify the tabs in accordance with the parts under [Section 3](#), which is to be consistent with the Table of Contents. TAB IDENTIFICATION BY NUMBERS ONLY IS NOT ACCEPTABLE.



HSP – HUB  
Subcontracting  
Plan

# EXHIBITS TO THE RFQ

Exhibit A Pro-Forma Design-Build Agreement (Provided with Step 2 documents)

Exhibit B Insurance Requirements for Design Professional

Exhibit C Design Criteria Manual and Drawings

Exhibit D Uniform General Conditions, including Supplementary General Conditions

Exhibit E Division One – General Requirements, Section 01 00 10, Special Conditions – Design-Build

Exhibit F HUB Forms

Exhibit H Payment Bond

Exhibit I Performance Bond

Exhibit J Prevailing Wage Rates

Exhibit K Progress Payment Affidavit

Exhibit L Final Payment Affidavit

Exhibit M Consent of Surety

Exhibit N Non-Use of Asbestos Containing Materials Affidavit



# Project Overview

Tom Mays Trail

# QUESTIONS?

---

REMINDER: Questions must be submitted in writing by the deadline stated in the RFQ (5:00 PM CT, on June 25, 2024) will be answered via Addendum.

**Lyndsi Sandoval, CTCM, CTCD**

*Infrastructure Division*

*Contract Manager*

Texas Parks and Wildlife Department  
4200 Smith School Road, Austin, Texas  
78744

[INFContracting@tpwd.texas.gov](mailto:INFContracting@tpwd.texas.gov)

[Lyndsi.sandoval@tpwd.texas.gov](mailto:Lyndsi.sandoval@tpwd.texas.gov)





CONCLUSION  
PRE-SUBMITTAL  
MEETING

TOUR OF THE SITE – July 10, 2024 at 10:00AM

Thank you!

