

NOVEMBER 2024

ADDENDUM OF SOLICITATION

**REQUEST FOR QUALIFICATIONS (RFQ) FOR
CONSTRUCTION MANAGEMENT AT RISK (CMAR) SERVICES**

FOR THE

**RENOVATION CONSTRUCTION OF THE
WELLS BRANCH COMMUNITY LIBRARY**

- A. This Addendum is being issued to provide the 100% Schematic Design package issued for the project. [Link provided here.](#)
- B. This Addendum is being issued to provide responses to questions received on or before November 14, 2024. **See attached list of questions and responses following this page.**
- C. This Addendum is being issued to provide the attendees list from the Pre-proposal Conference on November 7th, 2024. See attached list following this page.
- D. Except as provided herein, all terms and conditions of the solicitation remain unchanged and in full force and effect.

Donita Ward
Library Director

ACKNOWLEDGEMENT:

Signature and Date

Name and Title

Company Name

Address

QUESTIONS AND ANSWERS

RFP-001

Q1. Does Section 5 count towards the 30 page limit?

R1. **Yes, Section 5 will count toward the 30 page limit.**

Q2. In reference to 3.4 Submittal Checklist, "Respondent's Responses to Requested Information" does this encompass the requested information of the broad RFP, or should we reference a specific area?

R2. **Respondent's Responses to Requested Information does encompass the requested information of the RFP.**

Meeting**WBCL - CMAR - Pre-Submittal Conference**

Date 11/7/2024
Time 1:00pm CT

Name	Firm / Company	Email
Sonya Shah	720 design	sshah@720design.net
Donita Ward (Unverified)	Wells Branch Community Library Director	directory@wblibrary.org
Deniz Aslihan Soydan	720 design	DASoydan@720design.net
Trevor Khoury (External)	Fransen Pittman	tkhoury@fransenpittman.com
Danielle Terry (External)	Muckleroy Falls	DTerry@muckleroyfalls.com
Audrey Gray (External)	Trim Built	agray@trimbuilt.com
Dillon Richmond (External)	Muckleroy Falls	drichmond@muckleroyfalls.com
Abbie Joffrain	Wells Branch Community Library Board	abbiej@wblibrary.org
Michael Schmidt (External)	Muckleroy Falls	mschmidt@muckleroyfalls.com

**REQUEST FOR QUALIFICATIONS (RFQ) FOR
CONSTRUCTION MANAGEMENT AT RISK (CMAR) SERVICES**

FOR THE

**RENOVATION CONSTRUCTION OF THE
WELLS BRANCH COMMUNITY LIBRARY**

**RFQ No. 001
Issued Monday, October 21, 2024**

**A Pre-Submittal Conference is scheduled for
1:00 PM CT, Thursday, November 7, 2024**

**Submittals will be accepted by mail or hand delivery no later than 2:00 pm CT,
Monday, December 2, 2024, to:**

Donita Ward
Library Director
Wells Branch Community Library
15001 Wells Port Drive
Austin, Texas 78728

hard copy submissions will be accepted as outlined in this RFQ. Respondents submitting hard copy must provide one (1) original, so labeled, and one (1) hard copy of all documents requested in a sealed envelope / box and manually signed in ink by a person having the authority to submit firm's information and qualifications, as well as one (1) electronic copy in PDF format on a USB (the PDF copy must be a complete copy of the entire submittal including cover pages and must have the authorized signature included).

The Wells Branch Community Library is always conscious and extremely appreciative of your time and effort in the preparing of this information. All questions or requests for interpretation / clarification must be submitted via email to director: Donita Ward director@wblibrary.org.

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SECTION 1 – INTRODUCTION

1.1 Background and Special Concerns:

- A. Background: The Wells Branch Library District, Texas (“District”) is seeking a Construction Manager at Risk firm (the “CMAR”) to perform typical and complete Construction Management services in conjunction with the design and renovation construction of the Wells Branch Community Library (WBCL). The CMAR will work with the District entities, Library staff, and any appropriate consultants.
- 1) Layout of Wells Branch Community Library: The layout of the WBCL is an existing facility located on a site at 15001 Wells Port Drive, Austin, TX 78728. The project will enclose the breezeway, two locations at the patio, and refresh the interiors. See Section 7 for an overview of the WBCL site.
 - 2) Features to be included in Wells Branch Community Library Renovation: The WBCL project will comprise a complete renovation of the facility. The project will enclose the breezeway, two locations at the patio, and refresh the interiors. See Section 1.4 for a detailed list of potential amenities.
 - 3) Project Phases: Design is currently ongoing for the WBCL, and construction will occur in phases to allow the library to remain open and operational during construction.
- B. Special Concerns: The District is seeking a Construction Manager at Risk in a two-step process as outlined in Texas Government Code Chapter 2269 - Contracting and Delivery Procedures for Construction Projects. The CMAR will perform pre-construction and construction services working with District staff, District consultants and the selected Architect who is 720 Design. In seeking a CMAR, the District is looking for a qualified general contractor, with prior, recent experience in the construction and renovation of facilities similar to the WBCL project as set forth herein:
- 1) The CMAR will be able to work with the Architect during the design phase, prior to construction, to analyze the Architect’s design, including the Plans and Specifications, to ensure the feasibility and constructability of the Project design, and to assist in bringing the estimated construction cost of the Project within the Construction Budget through value engineering, the selection of construction systems and materials, cost estimating, scheduling, and other means, without adversely affecting the capacity and quality of the Project; and
 - 2) The CMAR will propose a Guaranteed Maximum Price (GMP) for the construction of the Project, which is within the approximately \$2.8 million project construction budget, after or during the preconstruction services, and prior to a 100% set of construction documents. It is the District’s intent that upon successful completion of the preconstruction services, the CMAR will serve as the general contractor for the project during the construction phase.

1.2 Statutory Requirements and District Requirements:

- A. The Construction Manager-at-Risk (CMAR) must be selected following the requirements contained within Texas Government Code Chapter 2269 – Contracting and Delivery Procedures for Construction Projects.
- B. A “Construction Manager-at-Risk” is a sole proprietorship, partnership, corporation, or other legal entity that assumes the risk for construction, rehabilitation, alteration, or repair of a facility at the contracted price as a general contractor and provides consultation to the District regarding construction during and after the design of the facility.
- C. Architects and Engineers: The District has selected 720 design (Architect) to prepare construction documents for the Project and who has full responsibility for complying with the requirements of Chapter 1051, Subtitle B of the Texas Occupations Code (Regulation of Architecture and Related Practices).
- D. Ethical Behavior: The District requires ethical behavior and compliance with the law from all individuals and companies with whom it does business.

1.3 Selection Process, Qualifications Being Sought and Evaluation Criteria:

- A. Selection Process:
 - 1) The process for selection of a Construction Manager at Risk for this project will be a two-step process. The time period for responding to the RFQ for the first step is set out in this RFQ. After receiving the Submittals, the District will publicly open and read aloud the names of the parties providing submittals (referred to herein as “Respondents”) received in accordance with the submission deadline.
 - 2) In the second step, the District may request a Proposal of three or fewer Respondents, selected solely on the basis of qualifications, to provide additional information, including the construction manager-at-risk's proposed pre-construction services fee, the construction services fee and prices for fulfilling the general conditions. The time period for responding to the request for proposal (RFP) will be set out in the RFP.
 - 3) Within 45 days after opening of the Proposals, the District will evaluate and rank the Respondents based on the Selection Criteria set out in the RFQ and RFP. Unless the District rejects all Submittals and Proposals, the District will authorize negotiations with the first-ranked Respondent. If the parties cannot negotiate a successful agreement, the District will terminate negotiations with the first-ranked Respondent and commence negotiations with the second-ranked Respondent in the same manner. If an agreement is not reached, the District will proceed with this process, in order of ranking, until an agreement is reached, or all Submittals and Proposals are rejected. The District reserves the right to reject any and all Submittals and Proposals.

B. Qualifications Being Sought:

- 1) The Respondent's successful and cost-effective experience and expertise with projects of similar type, size, scope and quality.
- 2) The Respondent's past performance and demonstrated capability on similar projects with this or other local municipality and on construction of publicly funded projects.
- 3) The Respondent's capability to provide the resources, including financial, equipment and staffing, technology/software expertise necessary to meet project requirements.
- 4) The Respondent's proposed project personnel as shown in a project organizational chart and including their qualifications and experience as evidenced by their resumes.
- 5) The Respondent's recent experience with pre-construction services, as well as risk management strategies for project budget and schedule adherence in a highly volatile market.
- 6) The Respondent's safety record supported by accurate and verifiable data.
- 7) The Respondent's reference letters indicating the quality of previous work on similar projects and satisfaction from past customers.

Consideration may also be given to any additional information and comments included, and within the page limitations, at the selection phase if it reflects on the Respondent's qualifications to perform the services required for this Project.

C. Evaluation Criteria: The evaluation criteria will be grouped as follows:

Scoring (100-point scale Step 1; 125-point scale including Step 2 and 150-point scale with interview):

Step 1 – 100 Points Maximum

- 40 points - Firm and Individual Qualifications
 - Firm's number of years in business, size, and staffing
 - Firm's experience on public projects of similar scope, size, quality and complexity
 - Firm's safety record and successful completion of municipal and similarly scaled projects
 - Firm's specific relevant project quality control / quality assurance
 - Experience of proposed personnel on similar projects and as a project team
- 30 points - Capability and Capacity to Perform Work
 - Workload and availability to meet schedule
 - Project management plan, including project organization chart and resumes
 - Knowledge of Austin and Travis County processes and procedures
 - Proximity to the project site
- 15 points - References
 - Meeting schedules and meeting budgets
 - Timely communications and cooperation
 - Adherence to owner's vision and quality of construction
- 10 points - Proposed Project Schedule
- 5 points - Submittal Completeness and Conformance
 - Submittal completeness and conformance with requested information
 - Overall quality, clarity, ease of review, and attention to detail evidenced by Respondent's submittal

Step 2 – 25 Points Maximum

- 25 points - Proposal (requested of no more than top 3 respondents)
 - Proposed pre-construction services fees
 - Proposed construction services fees
 - Proposed additional subcontractor and administrative additional fees
 - Proposed staffing plan
 - Proposed detailed project schedule
 - Proposed bond rating
 - Proposed general conditions

Interview – 25 Points Maximum

- 25 points - Interview (if desired)
 - Proposed project team presentation
 - Proposed project team interaction
 - Proposed project team communications skills
 - Proposed project team responses to interview questions

1.4 Project Scope, Schedule, Payment and Procurement:

A. Scope of Work:

- 1) **Preconstruction Services:** The CMAR will work with the Architect and the District and review construction documents in process and at intervals to be determined during the design process to ensure the feasibility and constructability of the Architect's design, and that the cost of construction of the Project is within the estimated Construction Budget through value engineering, the selection of construction systems and materials, cost estimating, scheduling, and other means. The CMAR will also review the project schedule and identify critical path and long lead items. Upon the completion of, or during such preconstruction services, and prior to the completion of the 100% set of construction documents, the CMAR will submit a proposal of a Guaranteed Maximum Price for the construction of the Project, which is within the District's Construction Budget.
- 2) **Bidding Services:** Should the District exercise its option; the CMAR will serve as General Contractor to complete all work for the bidding and construction of the project. The CMAR will be responsible for coordination of all bids, advertisement and solicitation, bid procurement, selection of sub-consultants or trade contractors as outlined in Texas Government Code Chapter 2269. CMAR will also be responsible for issuance of pre-purchase orders for long lead items, if required.
- 3) **Construction Services:** Should the District exercise its option, the CMAR will serve as General Contractor to complete all work for the construction of the Project. The scope of Construction services will be determined based on the final Drawings and Specifications but may include, but not be limited to, **one or more** of the following areas of work: site clearing, excavation, fill, select fill and backfill; site utilities; concrete sidewalks, paving and roadway / parking lot work, rough and finish grading, topsoil and grass planting; fencing and gates, site lighting, retaining wall construction, landscape installation, irrigation, concrete piers, concrete slab-on-grade, concrete masonry (CMU) interior walls, cast stone lintels, limestone and plaster exterior veneer, concrete floor topping, masonry, code mandated storm shelter, structural steel frame (columns and joists), metal roof deck, metal wall and roof panels, miscellaneous metals and metal fabrications; rough and finish carpentry, millwork and casework; damp proofing and waterproofing, caulking and sealants, thermal insulation, flashing and sheet metal, metal soffit panels, metal roofing, modified bitumen roofing; other roofing, wood doors, metal doors and frames, aluminum doors and frames, glass and glazing, finish architectural hardware, acoustical ceilings, resilient flooring and base, carpeting, tile or wood flooring, metal studs and support systems, gypsum drywall, painting and special floor coatings, interior and exterior signage; metal louvers and miscellaneous specialties; furnishings and appliances; equipment and specialty equipment; sound enhancement systems; storm shelters, fire protection; lightning protection; telecommunications systems, audio / visual and security systems and mechanical, plumbing and electrical systems, and any other requirements set out in the Contract Documents.
- 4) The work does not include construction materials inspection services, and the materials testing services necessary for District's acceptance of the Project, which will be performed under a separate contract with an independent provider

engaged directly by the District. The work also does not include commissioning services which will be performed under a separate contract with an independent provider.

a) The project will include the following elements, at a minimum:

- New, enclosed Public lobby
- Study Rooms
- Quiet Reading Room
- Expanded children's room
- Staff offices
- Break rooms
- Specialty function areas
- Reconfigured restrooms
- All facilities will include MEP equipment and rooms, janitor's closets, storage areas, IT / Data rooms and the like
- Minimal site work may include including landscaping, sidewalk, signage, fencing and lighting

5) The overall site plan for Wells Branch Community Library along with other concept plans and existing floor plans are included in Section 7 at the end of this document. These documents are included for informational purposes only and no warranty or guarantee is implied or expressed.

6) The Wells Branch Community Library will work with the CMAR to identify a space within the library to be dedicated for use by the CMAR for meetings, workspace for the CMAR and power for a copier, fax machine and other equipment as required.

7) CMAR staff, at a minimum, shall consist of a full-time on-site general superintendent, as well as a full time project manager. Percentages of staff time may be negotiated. CMAR project team staffing shall not change without the consent of the District.

B. Schedule:

The CMAR shall provide a proposed construction schedule for Wells Branch Community Library with this submittal. This Schedule may be adjusted as a result of negotiations on submittals or preconstruction services and/or construction services provided by the Construction Manager at Risk.

C. Payment:

The District will make all construction payments directly to the CMAR, for their distribution of payments to the subcontractors and suppliers as appropriate. Accounting by the CMAR will be on a monthly line item submittal based on a preapproved Schedule of Values. Release of lien for work to date, along with an updated schedule and project status report, will be required for each monthly payment requested by the CMAR.

D. Procurement:

- 1) The successful Respondent will enter into a Construction Manager-at-Risk Agreement (“Agreement”) with the District (e.g. AIA Documents A133 Standard Form of Agreement Between Owner and Construction Manager as Constructor where the basis of payment is the Cost of the Work Plus a Fee with a Guaranteed Maximum Price along with AIA A201 General Conditions of the Contract for Construction), with District modifications and any associated Special Conditions.
- 2) Upon execution of the Agreement, the CMAR must show ability to provide the District required insurance and bonds; payment, performance, project maintenance, and right-of-way maintenance.
- 3) The CMAR must select subcontractors or trade contractors in accordance with the terms of applicable law and the Agreement, which are summarized as follows:
 - a) A CMAR shall publicly advertise and solicit either competitive bids or competitive sealed submittals from trade contractors or subcontractors for the performance of all major elements of the work other than the minor work that may be included in general conditions. A CMAR may seek to perform portions of the work itself if the CMAR submits its bid or proposal for those portions of the work in the same manner as all other trade contractors or subcontractors and if the District determines that the CMAR’s bid proposal provides the best value for the District.
 - b) The CMAR, the Architect and the District shall receive and publicly open all trade contractor or subcontractor bids or submittals in a manner that does not disclose the contents of the bid or proposal during the selection process. The CMAR will document the basis of its selection and make the evaluations public not later than the 7th day after the date the contract is awarded, as required by law. All trade or subcontractor bids are to be reviewed and approved by the District prior to award.
 - c) If the CMAR reviews, evaluates, and recommends to the District a bid or proposal from a trade contractor or subcontractor, but the District requires a bid or proposal from another trade contractor or subcontractor to be accepted, then, pursuant to the terms of the Agreement, the District shall compensate the CMAR by a change in Contract Sum, Contract Time, or Guaranteed Maximum Price for any additional cost and risk, which has been demonstrated to District’s satisfaction and as required by the Agreement, that the CMAR may incur because of the District’s requirement that another trade contractor or subcontractor bid or proposal be accepted.

- 4) The District reserves the right to contract separately with other consultants, suppliers and vendors as deemed in the best interest of the project.
- 5) The District MAY elect to procure certain materials/equipment/furnishings with coordination and scheduling support from the CMAR. The materials/equipment/furnishings would then be assigned to the CMAR with the full acceptance of coordination and installation. Qualifications to include coordination of the following potentially District supplied equipment.
 - a) Computer and telecommunications equipment and installation
 - b) Audio/visual equipment and installation
 - c) Security equipment and installation
 - d) Furniture and shelving (e.g. shelving, if any) installation

SECTION 2 – NOTICE TO RESPONDENTS

2.1 Request for Qualifications Notice:

The Wells Branch Library District, Texas (the “District”) is accepting submittals for a CMAR contract, pursuant to Chapter 2269 *et seq.* of the Texas Government Code, in accordance with the terms, conditions and requirements set forth in this Request for Qualifications (“RFQ”).

RESPONDENTS ARE CAUTIONED TO READ THE INFORMATION CONTAINED IN THIS RFQ CAREFULLY AND TO SUBMIT A COMPLETE RESPONSE TO ALL REQUIREMENTS AND QUESTIONS AS DIRECTED.

2.2 Pre-Submittal Conference:

A virtual pre-submittal conference will be held at **the time and date listed in Section 2.12.** The conference will be held via video conference at: [Teams Link Here](#). Registration is required in advance to participate. Email: director@wblibrary.org for registration by 5:00pm CT November 4, 2024. The purpose of this conference is to discuss with potential Respondents the services to be provided and for potential Respondents to ask questions arising from their review of the Request for Qualifications. This pre-submittal conference is for informational purposes only. Answers furnished will not be official until verified in writing by the issuing office or department. Copies will be provided of all persons attending and registering at the conference.

2.3 Submittal Format:

Responses must comply with Submittal Requirements set out in Section 3 of this RFQ.

2.4 Submittal Deadline:

The District will accept responses to this RFQ until **the time and date listed in Section 2.12**, after which time all responses timely received will be publicly opened, and the names of the Respondents read aloud. Respondents are invited to join a video conference opening at: [Teams Link Here](#) for acknowledgement of qualification statements. Responses received after the submittal deadline will not be considered.

2.5 Place for Submission:

Submittals will be accepted by mail or hand delivery no later than 2:00 pm CT, Monday, December 2, 2024, to:

Donita Ward
Library Director
Wells Branch Community Library
15001 Wells Port Drive
Austin, Texas 78728

It is the responsibility of each Respondent to ensure responses are submitted in a timely manner. The District is not responsible for delays in mail delivery or failure of couriers to deliver responses prior to the expiration of the submission deadline. The District shall not be obligated to reimburse any expenses incurred by any Respondents in preparing their response.

The District of Wells Branch cannot guarantee, due to internal mail delivery procedures that any qualifications sent priority mail will be picked up from the post office by District employees and delivered to Procurement Services by the required closing date and time. It is recommended that qualifications deliveries be made either in person or via an alternate delivery method ensuring delivery to the physical address. Respondent shall bear full responsibility for ensuring that the qualifications are delivered to the specified location by due date and time.

2.6 Inquiries and Interpretations:

Responses to inquiries which directly affect an interpretation or change to this RFQ will be issued in writing by addendum. Requests for interpretation or changes to this RFQ must be submitted via email by the **time and date listed in Section 2.12** below. All such addenda issued by the District prior to the last date that submittals are required to be received shall be considered part of the RFQ, and the Respondent shall be required to consider and acknowledge receipt of such in its response. Firms receiving this RFQ other than directly from the District are responsible for notifying the District that they are in receipt of a submittal package in the event an addendum is issued. It is the obligation of the Respondent to make sure that it has received all addenda prior to submission of its response.

Only those responses to inquiries which are made by formal written addenda shall be binding. Oral and other interpretations or clarifications will be without legal effect and shall not be binding on the District. The Respondent must acknowledge receipt of all addenda in its response.

2.7 Selection Procedure:

The procedure for selecting the CMAR is described in Section 1.3 of this RFQ.

2.8 Public Information:

The District considers all information, documentation and other materials requested to be submitted in response to this solicitation to be of a non-confidential and / or non-proprietary nature and therefore shall be subject to public disclosure under the Texas Public Information Act (*Texas Government Code*, Chapter 552.001, *et seq.*) after a contract is awarded.

Respondents are hereby notified that the District strictly adheres to all statutes, court decisions, and opinions of the Texas Attorney General with respect to disclosure of public information.

2.9 Respondent's Acceptance of Evaluation Methodology

WAIVER OF CLAIMS: Each Respondent by submission of a response to this RFQ waives any claims it has or may have against the District and the District's Representative(s) in this process and their respective employees, officers and elected officials, members, directors and partners, agents and representatives regarding the administration of the RFQ process, the RFQ evaluation, and the critique and selection of qualified Respondents. Submission of a qualifications statement indicates the Offeror's and Respondent's acceptance of the evaluation technique set out in this Request. In this regard, Respondent acknowledges that the selection process and evaluations of responses submitted constitute public information under Texas law and Respondent waives any claim it has or may have regarding any information contained in or derived from such evaluations.

2.10 Respondent's Commitment:

Respondent understands and agrees that the District has the ability to terminate its selection process at any time, and to reject any and all Responses, or any and all Submittals, and that the District has made no representation, written or oral, that it will award a contract for this Project. Furthermore, Respondent recognizes and understands that any cost incurred by the Respondent which arises from Respondent's submittal of a Response to this RFQ, or subsequent Proposal to the District's Request for Proposals, if applicable, shall be the sole responsibility of Respondent.

2.11 Respondent's Eligibility:

Only individual firms or formal joint ventures may respond to this RFQ. Two firms may not respond jointly unless they have formed a joint venture. (This does not preclude a Respondent from having consultants.)

Any firms obligated by law to register with the Texas Secretary of State must include their filing number on the Respondents Questionnaire. Responses from entities that are required to register and maintain an active right to transact business in Texas but fail to provide a filing number or lack an active right to transact business in Texas, may be deemed non-responsive and subsequently rejected.

2.12 Key Events Schedule:

Currently, the District has established this tentative timeline for its selection process:

Issue Request for Qualifications	Monday, October 21, 2024
Pre-Submittal Conference	Tuesday, November 07, 2024, 1:00 PM CT
Interpretation Deadline	Thursday, November 14, 2024, 2:00 PM CT
Issue Addendum	Wednesday, November 20, 2024
RFQ Deadline	Monday, December 2, 2024, 2:00 PM CT
Interviews, if needed:	week of December 09, 2024
Recommendation to Award:	week of December 18, 2024

This timeline is subject to change by District.

2.13 Insurance Requirements:

- A. Before commencing work, the Construction Manager (CMAR), at its own expense, procure, pay for and maintain the following insurance written by companies approved by the state of Texas and acceptable to the District of Wells Branch. The CMAR shall furnish to the District of Wells Branch Procurement Services Manager certificates of insurance executed by the insurer or its authorized agent stating coverages, limits, expiration dates and compliance with all applicable required provisions. Certificates shall reference the project/contract number and be addressed as follows:

RFQ No. 001 RFQ FOR CMAR SERVICES
Wells Branch Community Library Reimagine
ATTN: Donita Ward
150001 Wells Port Drive
Austin, Texas 78728
Or email to: director@wblibrary.org

1. Commercial General Liability insurance, including, but not limited to Premises/Operations, Personal & Advertising Injury, Products/Completed Operations, Independent Contractors and Contractual Liability, with minimum limits of \$2,000,000 per-occurrence and \$4,000,000 general aggregate. Coverage must be written on an occurrence form. The General Aggregate shall apply on a per project basis.
2. Workers' Compensation insurance with Texas statutory limits; and Employer's Liability coverage with minimum limits for bodily injury: a) by accident, \$1,000,000 each accident, b) by disease, \$1,000,000 per employee with a per policy aggregate of \$1,000,000.
3. Business Automobile Liability insurance covering owned, hired and non-owned vehicles, with a minimum combined single limit of \$1,000,000.
4. Umbrella or Excess Liability insurance with minimum limits of \$5,000,000 each occurrence and annual aggregate for bodily injury and property damage, that follows form and applies in excess of the above indicated primary coverage (1, 2 and 3). The total limits required may be satisfied by any combination of primary, excess or umbrella liability insurance provided all policies comply with all requirements. The CMAR may maintain reasonable deductibles, subject to approval by the District.

5. If the CMAR serves as general contractor for the Project during the construction phase, Builder's Risk Insurance will be required. It shall provide All-Risk coverage including, but not limited to, Fire, Extended Coverage, Vandalism and Malicious Mischief, Flood (if located in a flood zone) and Theft in an amount equal to one hundred percent (100%) of the completed value of the project in question. The policy shall be written on a Completed Value Form, including materials delivered and labor performed for the project. The policy shall be written jointly in the names of the District, contractor and subcontractors as their interests may appear. The policy shall have endorsements as follows:
 - a. This insurance shall be specific as to coverage and not contributing insurance with any permanent insurance maintained on the property.
 - b. Loss, if any, shall be adjusted with and made payable to the District on behalf of all insureds as their interests may appear.
- B. With reference to the foregoing required insurance, the contractor agrees to the following:
1. A waiver of subrogation in favor of District, its officials, employees, and officers shall be contained in the Workers' Compensation insurance policy.
 2. The District, its officials, employees and officers shall be covered as additional insureds on the Commercial General Liability and Business Automobile Liability policies.
 3. Policies of insurance shall not be cancelled non-renewed, terminated, or materially changed unless and until thirty (30) days notice has been given to District of Wells Branch.
- C. The total limits required may be satisfied by any combination of primary, excess or umbrella liability insurance provided all policies comply with all requirements. The contractor may maintain reasonable deductibles, subject to approval by the District.
- D. All insurance shall be purchased from insurance companies that meet a financial rating of A-VI or better as assigned by A.M. Best Company or equivalent.
- E. The contractor shall require any sub-contractors and other persons doing business with or for the contractor related to the work to maintain at least the insurance as required, or their liability shall be covered by the contractor.
- F. The Contractor agrees to comply with all applicable provisions of Texas Administrative Code regarding building or construction contracts with governmental entities and the contractual requirements.
1. Certain language must be included in this Construction Agreement and in the Contractor's contracts with subcontractors and others relating to the work;
 2. the Contractor is required to submit to the District certificates of coverage for its employees and for all others providing services relating to the work until all project work is completed; and

3. the Contractor is required to post certain notices at job sites.

SECTION 3 – SUBMITTAL REQUIREMENTS

3.1 General Instructions:

- A. Respondents should carefully read the information contained herein, and submit a complete response to all requirements and questions as directed.
- B. Responses and any other information submitted by Respondents in response to this RFQ shall become the property of the District.
- C. The District will not provide compensation to Respondents for any expenses incurred by the Respondent(s) for submittal preparation or for any demonstrations that may be made, unless otherwise expressly stated or required by law. Respondents submit Qualifications and other submittal information in response to this RFQ at their own risk and expense.
- D. Responses which are qualified with conditional clauses, or alterations, or items not called for in the RFQ documents, or irregularities of any kind, are subject to disqualification by the District, at its option. The District reserves the right to waive any irregularity or informality in a Response or Qualifications.
- E. Each Response should be prepared simply and economically, providing a straightforward, concise description of the Respondent's ability to meet the requirements of this RFQ. Emphasis should be on completeness, clarity of content, responsiveness to the requirements, and an understanding of the District's needs.
- F. The District makes no guarantee that an award will be made as a result of this RFQ or any subsequent RFQ, and reserves the right to accept or reject any or all submittals, waive any formalities, irregularities, or minor technical inconsistencies, or delete any item/requirements from this RFQ or contract when deemed to be in the District's best interest. Representations made within the Qualifications will be binding on responding firms.
- G. Failure to comply with the requirements contained in this RFQ may result in a finding that the Respondent is not qualified and is ineligible to submit a Qualifications in response to any subsequent RFQ.
- H. Only individual firms or formal joint ventures may apply. Two firms may not apply jointly unless they have formed a joint venture. Any associates will be disqualified. (This does not preclude a Respondent from having consultants.)

3.2 Preparation and Submittal Instructions:

- A. Respondents must complete, sign and return the attached Response to RFQ, Section 5, as part of their submittal. Respondent's company official(s) authorized to execute such submittals on behalf of Respondent must sign submittals. Failure to sign and return these forms will subject your submittal to disqualification. Any addenda must be acknowledged in the response letter.

B. Responses to this RFQ should consist of answers to required questions in Section 6 Respondent Questionnaire. It is not necessary to repeat the question in your response; however, it is essential that you reference the question number with your response corresponding accordingly. In cases where a question does not apply or if unable to respond, reference the question number and indicate N/A (Not Applicable) or N/R (No Response), as appropriate. Briefly explain your reason when responding N/R.

C. Page Size, Binders and Dividers:

Submittals must be typed on letter-size (8-1/2" x 11") paper. The District requests that submittals be printed on both sides of the paper and each copy submitted. Preprinted material should be referenced in the submittal and included as labeled attachments. Tabs for ease of reference should divide sections. Number each side of each page consecutively, including letters of interest, brochures, licenses, resumes and supplemental information. Submittals must be limited to 30 pages. Covers, table of contents and divider tabs will not count as pages, provided no additional information is included on those pages. For clarification, one sheet of paper printed on both sides of the sheet will count as 2 pages. Provide the number of copies of the submittal specified in Section 3.2.E. **Any submittals exceeding the 30-page limit may be disqualified.**

D. Pagination:

All pages of the submittal should be numbered sequentially in Arabic numerals (1, 2, 3, etc.). Attachments should be numbered or referenced separately.

E. Number of Copies:

Respondents submitting hard copy submissions shall provide one (1) original, so labeled, and one (1) electronic pdf copy (USB) of all documents requested in the RFQ.

F. Submission:

- 1) Show the Request for Qualifications number and submittal date in the lower left-hand corner of your sealed submittal envelope (or box or container).
- 2) The materials submitted must be enclosed in a sealed envelope (or box or container); the package must show clearly the submittal deadline; the RFQ number must be clearly visible; and name, telephone number and the return address of the Respondent must be clearly visible on the outside of the sealed envelope (or box or container).
- 3) Late submittals properly identified will be returned to Respondent unopened. Late submittals will not be considered under any circumstances.

- 4) Telephone (“PHONE”) submittals are not acceptable when in response to this Request for Qualifications.
- 5) Facsimile (“FAX”) submittals are not acceptable when in response to this Request for Qualifications.
- 6) Internet (“Email”) submittals are not acceptable when in response to this Request for Qualifications.

3.3 Pricing:

Submittals shall not include proposal of fees, pricing or other compensation.

Pricing will be solicited from firms qualified by the District at a later time.

3.4 Submittal Checklist:

Respondents are instructed to complete, sign and return the following documents as a part of their submittal. Failure to return these documents may subject your submittal to disqualification.

- Respondent’s Responses to Requested Information
- Signed and Completed Response Letter to RFQ (reference Section 5)
- Respondent’s Response to Questionnaire (reference Section 6)

SECTION 4 – CERTIFICATE OF INTERESTED PARTIES (Form 1295) (Required by Awarded Vendor(s) Only)

In 2015, the Texas Legislature adopted [House Bill 1295](#), which added section 2252.908 of the Government Code. The law states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The disclosure requirement applies to a contract entered into on or after January 1, 2016.

Filing Process:

The commission has made available on its website a new filing application that must be used to file Form 1295. A business entity must use the application to enter the required information on Form 1295 and print a copy of the completed form, which will include a certification of filing that will contain a unique certification number. An authorized agent of the business entity must sign the printed copy of the form. The completed Form 1295 with the certification of filing must be filed with the District of Wells Branch.

The District of Wells Branch must notify the commission, using the commission’s filing application, of the receipt of the filed Form 1295 with the certification of filing not later than the 30th day after the date the contract binds all parties to the contract. The commission will post the completed Form 1295 to its website within seven business days after receiving notice from the District of Wells Branch.

Form Availability:

Certificate of Interested Parties Form is available from the Texas Ethics Commission website at the following address:

https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm

For questions regarding and assistance in filling out this form, please contact the Texas Ethics Commission at 512-463-5800.

**SECTION 5 – RESPONSE LETTER
RFQ NO. xxxRFQ**

Donita Ward
Library Director
Wells Branch Community Library
15001 Wells Port Drive
Austin, Texas 78728

Ms. Ward;

This response is being submitted by the undersigned, on behalf of the Respondent:

The person signing this Response on behalf of the Respondent represents to District that:

- 1) The information provided herein is true, complete and accurate to the best of the knowledge and belief of the undersigned; and
- 2) He/she has full authority to execute this Response on behalf of Respondent.
- 3) Respondent has received the Addenda to this RFQ, specifically, Addenda numbered _____ and dated _____.

Executed this _____ day of _____, 2024.

RESPONDENT:

By: _____

Name: _____

Title: _____

Phone: _____

Attachment: Responses to Respondent’s Questionnaire

SECTION 6 – RESPONDENT’S QUESTIONNAIRE
RFQ NO. 24-64RFQ

Respondents are required to submit a complete response to each of the below listed items. Responses requiring additional space should be brief and submitted as an attachment to the Respondent’s Questionnaire.

1. Legal name of the company:

Authorized point of contact for the company:

Name: _____ Title: _____

Email: _____ Cell: _____

Address of office that would be providing service:

Main phone: _____ Direct phone: _____

Number of years in Business: _____

Type of Operation: Individual _____ Partnership _____ Corporation _____

Number of Employees: _____ Annual Sales Volume: _____

Texas Secretary of State Filing Number: _____

2. State whether you will provide a copy of your company's financial statements for the past two (2) years, if requested by the District.

3. Provide a financial rating of your company and any documentation (e.g. a Dunn & Bradstreet analysis), which indicates the financial stability of the company.

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

5. Provide any details of all past or pending litigation or claims filed against your company arising out of or in connection with your company's performance under a contract for construction management and / or construction services. Describe how such suit or claims were resolved.

6. Is your company currently in default on any loan agreement or financing agreement with any bank, financial institution, or other entity? If yes, specify date(s), details, circumstances, and prospects for resolution.
7. Does any relationship exist between your company and any of District's officers, employees whether by relative, business associate, capital funding agreement or any other such kinship? If yes, please explain.
8. Provide your company's safety data including your Experience Modifier Rate (EMR), Recordable Incident Rate (RIR) and Loss Indicator Rate (LIR).
9. Provide details regarding any special services, management characteristics or other benefits / advantages offered for the District in selecting your company and discuss any unique challenges or potential pitfalls envisioned with this project.
10. Describe your firm's past performance on other contracts for the District of Wells Branch or other cities (e.g. cost control, cost savings, schedule control) and your firm's demonstrated management qualifications with CMAR projects, particularly those that are similar to the proposed project type in size, scale and complexity in a volatile construction cost market.
11. Provide a minimum of three (3) and a maximum of five (5) projects with photos for which your firm has provided / is providing construction management or construction services which are most related to this project. In determining which projects are most related, consider: same or related use of facilities related size and complexity; whether the project was an expansion of an existing facility or new construction; how many members of the proposed team (and their role) worked on the listed project; and, how recently the project was completed. List the projects in priority order, with the most related projects listed first and the relevance described.
12. For each of the listed projects, provide the following information: project square footage, construction cost (original Budget, GMP and final construction cost), current phase of development, estimated (or past) completion date, type of construction services provided (CMAR with GMP, CM-agency, design / build, general contractor-low bid, competitive sealed proposals), owner's contact person and telephone number, and the name and telephone number of the project architect.
13. Provide a project organization chart along with resumes of key personnel; Project Manager, Estimator, and Superintendent that shows experience with projects of similar size, complexity and scope and include the percentage of time for each proposed position.
14. Provide a proposed project schedule in Gantt chart format for the project including major milestone dates.
15. Describe your company's quality assurance program, what are your company's requirements, and how are they measured? In particular, describe the way your firm maintains quality control during the pre-construction and construction phases.
16. Provide customer reference letters from no less than three (3) public entities with which Respondent currently has contracts and / or has previously provided construction management services of equal type and scope within the past five (5) years.

SECTION 7 – AERIAL, SITE PLAN AND FLOOR PLANS

Wells Branch Community Library Reimagine: AERIAL OVERVIEW

**Wells Branch Community Library Reimagine: EXISTING PLANS
AND MASTER FLOOR PLAN**

[Link – Existing Plans and New Plans](#)