

**KARNES CITY
INDEPENDENT SCHOOL DISTRICT**

REQUEST FOR QUALIFICATIONS

FOR

**DESIGN-BUILD SERVICES
FOR PRESS BOX**

RFQ No. # 04-2024

RFQ DEADLINE: May 9, 2024 by 10:00 AM

**KARNES CITY INDEPENDENT SCHOOL DISTRICT
REQUEST FOR QUALIFICATIONS
DESIGN BUILD SERVICES- PRESS BOX
RFQ #04-2024**

The Karnes City Independent School District (“Owner” or “District”) is soliciting qualifications from qualified and interested firms for Design-Build Services for the Design and Construction of a Press Box (collectively known herein as “RFQ”).

ALL RFQ SUBMISSIONS MUST BE RECEIVED VIA MAIL OR HAND-DELIVERY

Submissions shall be submitted not later than:

10:00 am., LOCAL TIME, ON May 9, 2024

ANY SUBMITTAL RECEIVED AFTER THE TIME AND DATE STATED ABOVE WILL NOT BE CONSIDERED. UNSIGNED SUBMITTALS AND/OR SUBMITTALS RECEIVED VIA FACSIMILE OR EMAIL WILL NOT BE CONSIDERED.

FAILURE TO COMPLY WITH SPECIFICATIONS INCLUDED IN THIS RFQ MAY RESULT IN THE DISQUALIFICATION OF YOUR SUBMITTAL.

**KARNES CITY INDEPENDENT SCHOOL
DISTRICT REQUEST FOR QUALIFICATIONS
DESIGN BUILD SERVICES-PRESS BOX
RFQ # 04-2024**

I. INTRODUCTION

1.1 1.1 The This Request for Qualifications (RFQ) is intended to solicit qualifications from qualified and interested firms for Design-Build Services (Respondents) with capabilities to design and construct improvements for KARNES CITY ISD ("Owner" or "District"). For the purpose of this RFQ, "Respondent" refers to any entity or team that is qualified to provide all of the improvements as listed in this request. It is the intent of Owner to select the Respondent demonstrating the best overall value to the Owner, and to enter into an agreement to provide design and construction services for the Press Box Project.

The scope of work/design criteria may include, but is not limited to the design and construction of a Press Box at Karnes City High School, located at 400 Texas Hwy 123, Karnes City, Texas 78118.

The Scope of Work above is not intended to be an exhaustive scope list, however it is expected that the Design-Build Team will provide whatever consultants, design services necessary to advise the District regarding most economically advisable and feasible manner to address the needed press box listed above, and furnish turn-key services of a design-build firm with the capability to complete the following for the designated District facilities:

1. Assessment of Owner site and design plan for press box construction;
2. Prepare and present, for the Owner's approval, a preliminary design illustrating the scale and relationship of the Project components; and
3. Construct press box based on final plans, drawings, and specifications.

1.2 TIME CONSTRAINTS. This project is time sensitive and the District desires to complete the Project as soon as possible. The District has set a deadline for the Project to be substantially complete

1.3 June 14, 2025. This deadline requirement should be considered by any firm choosing to participate in this selection process.

1.4 PROJECT BUDGET

The Owner's overall construction budget for this Project is \$520,000.00. Respondent understands and acknowledges that scope change may result in either an increase or decrease in budget.

1.5 PROJECT OVERSIGHT. [AGCM] has been engaged by the District as required by Texas Government Code, Section 2267.305 to act as the District's independent representative for the duration of the Project and will provide advice to the District regarding design, and project oversight on behalf of the District. Cooperation with [AGCM] will be imperative and Design-Builder's track record for such cooperation will be considered in the evaluation process.

1.6 DEFINITIONS. As used in this RFQ, the terms below have the meanings set forth below:

A. "Design-Build Contract" means a single contract with a design-build firm for the design and construction of facility components.

B. "Design-Build Firm" means a partnership, corporation, or other legal entity or team that includes an engineer or architect and builder qualified to engage in construction in Texas.

II. NOTICE TO RESPONDENTS

2.1 Submittal Location and Deadline.

A. Qualification Statements shall be submitted in accordance with the requirements of this RFQ. The Owner will not acknowledge or receive Qualifications Statements that are delivered by telephone, facsimile (fax), or electronic mail (e-mail). It is the sole responsibility of submitting firms to ensure timely receipt of the RFQ response and to properly label the documents as indicated on the cover of this RFQ.

B. Complete responses must be received via mail no later than: **May 09, 2024 @ 10:00 A.M., CST**. Qualification Statements may be withdrawn by written request received by the District **prior to the deadline for submissions**.

C. The Request for Qualifications (RFQ) will be opened (but not read aloud publicly), at the District's Administration Offices located at **404 N Hwy 123, Karnes City, Texas 78118**, following expiration of the deadline time. Any Qualification Statement or modification received after the deadline will NOT be accepted. Karnes City Independent School District is not responsible for RFQ's submitted incorrectly. Respondents shall familiarize themselves with the submittal method as necessary to correctly submit their submission. Qualification Statements sent by facsimile or email will not be accepted. The District reserves the right to request supplemental information of any and all Respondents to aid the District in the evaluation process.

2.2 **Point-of-Contact/Restriction on Communication.** The District designates the following persons as its representatives and Points-of-Contact for this RFQ:

Brian Revell
Project Manager
AG|CM
P.O. Box 2682, Corpus Christi, Texas 78403
Phone: 830-353-0630
Email:brevell@agcm.com

A. Respondents shall restrict all contact with the District and direct all questions regarding this RFQ, to the District's Representative specified above. **Do not contact members of the Board of Trustees or other employees of the District. Contact with any of these prohibited individuals after issuance of the RFQ and before selection is made, may result in disqualification of your Qualifications Statement.** This restriction extends to "thank you" letters, phone calls, emails and any contact that results in the direct or indirect discussion of the RFQ and/or proposal submitted by Respondents. All questions regarding this invitation must be submitted in writing email to brevell@agcm.com. Requests for information/interpretation must be received by **8:00 a.m. on May 02, 2025**. Only questions answered by formal written addenda posted the District's website will be binding. Responses to questions submitted will be viewable by the date as specified in the schedule on the District website: kcisd.net.

B. The District reserves the right to contact any Respondent for clarification after responses are opened and/or to further negotiate with any Respondent if such is deemed desirable by District.

C. Violation of this provision by Respondent or Respondent's agent may lead to disqualification of Respondent's proposal from consideration.

2.3 **The Form of Agreement.** The form of Agreement utilized for this Project shall be the AIA Document A141-2014, *Standard Form of Agreement Between Owner and Design-Builder*, as modified by the Owner. Upon the Owner's acceptance of the Design Builder's Guaranteed Maximum Price proposal, the Contract Documents will also include the completed A141-2014-Exhibit A, *Design Build Amendment*. **A copy of the form of Agreement, including Owner's modifications, will be provided in the second phase of this procurement with the RFP. At that time the Respondent will be required to delineate any comments or requested changes and include an explanation for the requested change in its RFP response, otherwise Respondent will be deemed to have accepted the form of Agreement as written.**

2.4 **Public Information.** During the course of the selection process, the Qualifications Statements

submitted by Respondents in response to this RFQ are exempt from disclosure to the public under the Texas Public Information Act. The Qualifications Statements will however, upon the award of the contract, become a public record; and therefore, subject to disclosure to any person who makes a proper request for review of the documents. Some of the information you may provide in your Statement of Qualification may contain commercial or financial information which you consider privileged or confidential, or may be of a nature which you feel may cause substantial competitive harm to your business if disclosed by the District to a third-party even after the award. You may be entitled to protect this information at the time a request is made for disclosure; however, you will need to consult your legal counsel to assure that this kind of information, if included in your Response, is properly marked as confidential prior to submission. Wholesale marking of your entire proposal “Confidential” or “Proprietary” will not be effective. The District fully complies with the Texas Public Information Act. In the event information from Respondent’s Qualification Statement is requested, the District will use its best efforts to notify the Respondent of such request, but will have no duty to assert any claim to the Attorney General that the proposal or any parts of the proposal are not subject to disclosure under the Act.

2.5 Conflicts of Interest. Respondent acknowledges that it is informed that District Policy and 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 District, shall file a completed conflict of interest questionnaire with the appropriate district records administrator not later than the 7th business day after the date that the person: (1) begins contract discussions or negotiations with the District; or (2) submits to the District an application, response to a request for qualifications, proposals or bids, correspondence, or another writing related to a potential agreement with the District. The conflict of interest questionnaire form is available from the Texas Ethics Commission at www.ethics.state.tx.us. Completed conflict of interest questionnaires may be mailed or delivered by hand the address indicated on page 1. Please consult your own legal counsel if you have questions regarding the statute or form.

2.6 Criminal Background Checks. Respondent agrees to provide assurance that all employees and subcontractors of the Design-Builder who have continuing and direct contact with students have passed a criminal history background check current within the last year. More specific requirements of the statute will be provided with the Second Phase to RFP.

2.7 Contract Award Process.

A. The District reserves the right to reject any or all Qualifications Statements. There will be no contractual obligation on the part of the District to any Respondent, nor will any Respondent have any property interest or other right in the contract unless and until a reasonable price for the services is negotiated, the contract is unconditionally executed, and all conditions to be fulfilled by the Respondent (e.g. bonding and insurance documentation provided) have either been fulfilled by the Respondent or waived in writing by the District.

B. An award to a Design-Build Team for the services specified herein will be made following a two-step procedure using the procedure described in Texas Government Code, Section 2269.307. Phase One of the selection process will focus solely on the Respondent’s ability to meet the mandatory qualifications and the criteria set forth in this RFQ related to its experience, technical competence, capability to perform, past performance of the firm and its members and overall qualifications of the Respondents. ***Please Note: Cost-related or price-related factors are not elicited and should not be submitted by Respondent during this first phase of the selection process.*** The ranking of qualifications statements will be completed initially by a District Committee selected by the Superintendent. The Evaluation Committee will qualify a maximum of five (5) Respondents from those submitting Qualifications Statements, to submit proposals in response to a Request for Proposals (“RFP”) in Phase Two of the process. During Phase Two, the selected Respondents qualified in Phase One will be asked to submit a proposal providing additional information requested by the District. The additional information requested may include information regarding the Respondent’s policies on subcontractor markup, a range of cost for general conditions based on a specified definition, its policies on retainage and contingencies,

discounts for prompt payment and expected staffing for administrative duties. The District may, at its discretion, require interviews to assist in the final selection. The Evaluation Committee will rank each proposal submitted from first to last based on all of the criteria published in the RFQ and the RFP, with the first ranked proposal being the proposal offering the best value to the District. The Committee will thereafter present its ranking to the Board for approval. The Board may either approve the rankings and authorize negotiation in accordance with Section 2269.038 of the Government Code, with the first ranked respondent and subsequent respondents if a satisfactory contract cannot be reached.

2.8 Evaluation Criteria.

A. **Criteria and Weights of Criteria for Evaluation.** The criteria for evaluation of submitted qualification statements, and selection of the qualified Respondent(s), will be based on the factors listed below:

| | CRITERIA and DESCRIPTION | WEIGHT |
|---|---|------------------|
| 1 | <p>Past Performance, Reputation and Company Focus.</p> <ul style="list-style-type: none"> • Outstanding reputation of past performance by Design-Build Firm and proposed team members, based upon information provided by the Respondent, by the references listed in Respondents statement, by the District <i>(and included in the Company References/Client Profile Information form, attached hereto as Exhibit 1 to Respondent’s Questionnaire)</i>; other school districts not necessarily listed as references by Respondent • Past performance and reputation of the Design-Build Firm for providing quality work; working cooperatively with their own team members, the Independent Owner’s Representative and the Owner; and demonstrated understanding the importance communication among all parties. | 15 Points |
| 2 | <p>Experience and Technical Competence – Design</p> <ul style="list-style-type: none"> • Experience, technical competence of Design Team and depth of bench to be able to address all aspects of these Projects. • Expertise of design professionals on the team in designing press boxes. • All other names by which your firm has been known and length of time known by each name • Complete range of services and capabilities normally offered (e.g. surveying, drainage assessment and design, construction management, etc.) | 20 Points |

| | | |
|--------------|---|-------------------|
| 3 | <p>Experience, Technical and Managerial Competence – Construction</p> <ul style="list-style-type: none"> • Demonstrated technical and managerial competence during construction of similar design-build projects, particularly those involving design and construction of press boxes. • Experience, technical and managerial competence of Construction Team and depth of bench to be able to address all aspects of these Projects. • Demonstrated ability to effectively use phasing, scheduling and creative means to complete projects on fast-track when faced with aggressive completion deadlines and ability to critique these techniques. • Demonstrated ability to effectively use ongoing cost estimation, effective value engineering and analysis to deliver the Design-Build project within budget. | 20 Points |
| 4 | <p>Capability to Perform.</p> <ul style="list-style-type: none"> • Ability to dedicate experienced and capable key personnel to project(s), including principals of the firm, experienced design professionals and the proposed project managers. • Demonstrated financial wherewithal, bonding capacity and overall stability of the firm. | 15 Points |
| 5 | <p>Costing Methodology.</p> <ul style="list-style-type: none"> • Policies on subcontractor mark-up, definition of general conditions and range of cost for general conditions, retainage policies, contingency policies, staffing for administrative duties. <i>[Not scored until STEP 2.1]</i> | 20 Points |
| 6 | <p>Financial Soundness and Stability</p> <ul style="list-style-type: none"> • Demonstrated financial soundness and stability based on financial reports, bonding capacity/obligated bonding capacity and ability to comply with bonding and insurance requirements of contracts. | 5 Points |
| 7 | <p>Safety Compliance</p> <ul style="list-style-type: none"> • Demonstrated safety compliance based on accident rates, workers comp multiplier, and history for the last two years 2019 thru 2021. | 5 Points |
| TOTAL | | 100 Points |

2.9 **Respondent’s Acceptance of Evaluation Methodology.** By submission of its Statement of Qualifications, the Respondent agrees to waive all rights to claims against the District, or persons authorized by the District for any damages whatsoever arising from the District’s or any person’s or committee’s evaluation of the Respondent’s qualifications.

III. SUBMITTAL REQUIREMENTS

3.1 A principal of the firm must sign the completed response and affirm that the information provided is true, complete and accurate. Qualification Statements shall be clearly marked for each part of the requirements listed below in (8 ½” x 11”), vertical format, minimum of three-quarter (¾”) inch margins, and 11-point font. Submissions must not exceed 35 pages. The page limit does ***not*** include:

(1) Provide one (1) copy of the Qualifications Statement. Please mark (1) one copy "Original", mark (1) one copy "COPY", and include one (1)USB Flash Drive. Qualifications shall be a MAXIMUM OF FIFTY (50) PAGES. The cover, table of contents, and divider sheets do not count as pages.; and

(2) the list of similar projects as required in Section 2.2 of Respondent’s Questionnaire in the RFQ Attachment;

(3) completed ***Company References/Client Profile Information Forms (attached as Exhibit to Respondent’s Questionnaire)*** submitted with the Response ; and

(4) Any separator pages, as long as they are purely title/separator pages and do not provide a response.

3.2 Qualification Statements shall be prepared **SIMPLY AND ECONOMICALLY**, providing a straightforward, **CONCISE** description of the Respondent's ability to meet the requirements of this RFQ. Emphasis shall be on the **QUALITY**, completeness, clarity of content, responsiveness to the requirements, and an understanding of Owner's needs. Incomplete Qualification Statements may be considered non-responsive and subject to rejection.

3.3 Respondent shall correctly reveal, disclose, and state the true and correct name of the individual, proprietorship, corporation, and/or partnership (clearly identifying the responsible general partner and all other partners who would be associated with the contract, if any). No nicknames, abbreviations (unless part of the legal title), shortened or 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 signature page of the proposal. If an entity is found to have incorrectly or incompletely stated its name or failed to fully reveal its identity on the signature page of its proposal, the District shall have the discretion, at any point in the contracting process, to suspend consideration of the response.

3.4 **Response Organization.** Respondent's response shall include the following items in the following sequence:

- a. **RESPONDENT GENERAL QUESTIONNAIRE.** Respondents are expected to examine this RFQ carefully, understand the terms and conditions for providing the services listed herein and respond completely. The Qualifications Statement shall be submitted as set out in the *attached as RFQ EXHIBIT 1, Respondent's Qualification General Questionnaire (and the Company References/Client Profile Information form for each client, attached as Exhibit to Respondent's Questionnaire)*.
- b. **CONFLICT OF INTEREST QUESTIONNAIRE:** 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 District shall file a completed Conflict of Interest Questionnaire (CIQ) with District. The CIQ will be submitted as part of the response to a Request for Qualifications. The CIQ is available from the Texas Ethics Commission at www.ethics.state.tx.us.
- c. **FELONY CONVICTION NOTIFICATION:** Complete, sign and submit the Felony Conviction Notification Form, *attached hereto as RFQ Exhibit 2*.
- d. **NON-COLLUSION AFFIDAVIT.** Complete, sign and submit the Non-Collusion Affidavit, *attached hereto as RFQ Exhibit 3*.
- e. **CERTIFICATE OF INTERESTED PARTIES FORM 1295.** Complete, sign and submit the Certificate of Interested Parties Form 1295, *attached hereto as RFQ Exhibit 4*.
- f. **ACKNOWLEDGEMENT OF ADDENDA.** Complete, sign and submit the Acknowledgement of Addenda, *attached hereto as RFQ Exhibit 5*.
- g. **CERTIFICATIONS BY DESIGN-BUILD FIRM:** Design-Build Firms submitting qualification Statements must include an engineer or architect (as appropriate to the Project) licensed to practice in the State of Texas and builder qualified engage in construction and authorized by the comptroller to do business in Texas. Further, the Design-Build Firm must certify that each architect or engineer that is a member of the firm was selected based upon demonstrated competence and qualifications in the manner provided by Texas Government Code, Section 2254.004. Such Certifications is *attached hereto as RFQ Exhibit 6*.

3.5 Respondents are 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 THE ABOVE ITEMS MAY RESULT IN THE RESPONDENT'S PROPOSAL BEING DEEMED NON-RESPONSIVE AND THEREFORE DISQUALIFIED FROM CONSIDERATION.

3.6 Any cost or expense incurred by the respondent that is associated with the preparation of the Response, or during any phase of the selection process, shall be borne solely by the Respondent.

IV. AMENDMENTS TO THE RFQ

Changes, amendments, or written responses to questions received regarding this RFQ may be posted on the District's website. It is Respondent's responsibility to review this site and ascertain whether any amendments have been made prior to submission of a proposal. A Respondent, who does not have access to the Internet must notify District if Respondent wishes to receive copies of amendments to this RFQ by mail. 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.

APPENDIX A
PRELIMINARY PROJECT SCOPE OF WORK

Site Work:

1. Construct one (1) construction entrance.
2. Excavation to subgrade. Excavated materials will be disposed of off-site.

Subgrade:

1. Scarify 6” of existing material, grade and compact to proper planarity and density.

Demolition:

1. Engage an Independent Structural Engineer to assess the condition of the existing grandstand; the cost of this site visit to included in the proposal cost as a contingency in the event additional engineering design is required for the demolition of the existing Press Box.
2. Existing Press Box – Remove and dispose of the existing press box offsite. Existing power and communications to the press box will be removed and re-connected to the new press box.
3. Concrete Sidewalk – Remove and dispose of offsite ~ 360 square feet of existing sidewalk.

Concrete:

1. Concrete Sidewalk - Construct ~ 370 square feet of 4” concrete continuously reinforced with #4 rebar 12” on-center.
2. Press box footings and piers – Construct ~ 76 linear feet of 8” concrete footers continuously reinforced #4 rebar. Construct six (6) piers 18” in diameter. Pier and footing design are subject to change after recommendations from geotechnical investigation are made.

Press Box, (8’ x 30’)

1. Metal siding w/ metal framing, pre-manufactured w/ lights, and electrical outlets
2. Two (2) interior rooms, aluminum interlocking deck interior floor, vinyl covered gypsum walls, drop ceiling, sliding windows along front, laminate covered countertop.
3. Through wall PTAC each room
4. Exterior stair from one landing to roof of press box
5. One landing at each end connecting to the top row of the bleacher.
6. Galvanized steel I-beam support structure w/ I-beam columns and angle cross bracing.

General Conditions:

1. Provide project Insurance, Supervision and Mobilization.
2. Provide construction surveying, layout, and staking.
3. Provide performance and payment bonds.
4. Provide, prior to construction, construction drawings.
5. Provide, prior to construction, all required submittals.
6. Provide, install, and maintain erosion control measures related to described work
7. Provide an updated monthly schedule.
8. Conduct onsite construction meetings.

9. Provide final punch-out and clean-up of the completed project.

Options:

1. Provide cost to increase the size of the Press Box to (10' x 30')

RFQ EXHIBIT 1

**RESPONDENT QUALIFICATION
GENERAL QUESTIONNAIRE**

(Restate each question as written & provide response)

SECTION A - GENERAL INFORMATION

1. **Company Information:** Provide the following information regarding your company.

Name/Name of Agency/Company: _____
Address _____
State: _____ Zip Code: _____
Telephone No. _____ Fax No: _____

2. **Contact Information:** List the person who the District may contact concerning your proposal or setting dates for meetings.

Name: _____
Address: _____
State: _____ Zip Code: _____
Telephone No. _____ Fax No: _____
Email: _____

3. Does your Company anticipate any mergers, transfer of organization ownership, management reorganization, or departure of key personnel within the next twelve (12) months that may affect the organization's ability to carry out its proposal?

Yes No

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

Yes No

5. Provide any other names under which your business has operated within the last ten (10) years.

6. Has the Company 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.

7. Has the Company or any of its principals had a bond or surety canceled or forfeited in the last 10 years?

Yes No

If yes, state the name of the bonding company, date, amount of bond and reason for such cancellation or forfeiture.

8. Bankruptcy Information. Has the Company or any of its principals ever been declared bankrupt or filed for protection from creditors under state or federal proceedings?

Yes No

9. If you answered yes to question 8, state the date, court, jurisdiction, cause number, amount of liabilities and amount of assets.

SECTION B - PAST PERFORMANCE AND REPUTATION

10. Provide information regarding five (5) school district press box design-build projects of similar size and scope to the one for which design-build services are requested herein, on which your firm is currently working or completed in the last five (5) years. For each, provide the information requested in the *Company References/Client Profile Information Forms (attached as Exhibit to Respondent's Questionnaire)*.
11. Describe the relationship you anticipate the firm's key staff will have with the KCISD Board of Trustees, the Independent Client Representative and the District Administration. Describe a prior client relationship where you believe your team did a particularly good job in communicating with all or some of these stakeholders.
12. List past or present construction litigation in which your company is a defendant pertaining to Design-Build in Texas.
13. List any contracts in Texas in the last ten (10) years that were terminated by the owner prior to completion due to non-performance.
14. Provide a claims history under professional malpractice insurance for the past five (5) years for the Respondent and any sub consultants or team members proposed to provide professional engineering services.
15. By numbering in order of importance, please indicate the level of priority your firm places on the following:
- ___ Technical Competence and attention to detail
 - ___ Finishing a Project on Time
 - ___ Finishing a Project in Budget
 - ___ Maintaining team morale and job satisfaction
 - ___ Maintaining industry relationships
 - ___ Candid Communication with Client
 - ___ Understandable Communication with Client
 - ___ Fidelity to the Client
 - ___ Client Satisfaction upon completion
 - ___ Client Satisfaction 5 years after completion

SECTION C - TECHNICAL COMPETENCE AND EXPERIENCE – DESIGN.

16. Please provide Resumes or CV's demonstrating the expertise of design professionals on team in designing press boxes as set out in the Scope of Work for this Project. (Note: These individuals will be considered Key personnel who must be committed to this Project for its duration, unless excused by the Owner).
17. Provide a claims history for the past five (5) years under professional malpractice insurance for Respondent and any team member proposed to provide professional architectural or engineering services on this Project.

18. Name any consultants which are included as part of the proposed team. Describe each consultant's proposed role in the Project and its related experience. List other projects on which your firm has worked with the consultant and what expertise they brought to the project. If any of the consultants served in consulting roles on any of the projects listed on your ***Company References/Client Profile Information Forms (attached as Exhibit to Respondent's Questionnaire)***, please indicate their role and what expertise they brought to the project.
19. List the complete range of services and capabilities your firm normally offers (e.g. surveying, drainage assessment and design, construction management, etc.). Indicate all services which your firm performs with your own employees, and those which are usually subcontracted. List any equipment manufactured by your company that may be included with this project.
20. Describe your willingness to include other manufacturers' products. Identify and describe any business associations with equipment manufacturers or suppliers that might be specified for this project.
21. Provide a description of a situation in educational project, where the confluence of some or all of the following: unit sizing, humidity, air flow, envelope integrity or occupancy, required a choice between system efficiency, comfort and health of the occupants and cost. Address how the issues were resolved, the role the client played in the decision and to whom and how these concepts were explained.
22. Please provide the names of the person or persons in your firm who is/are most familiar with the ionization technologies and has the most familiarity with the industry standards and reputations of vendors whose products may be recommended by your firm for installation in this project.

SECTION D - TECHNICAL COMPETENCE AND EXPERIENCE – CONSTRUCTION

23. Demonstrated technical and management competence during construction of similar design-build projects, particularly those involving construction of press boxes and design considerations that could arise with a project like the one solicited in this RFQ.
24. Name key personnel who will provide lead on-site construction oversight (e.g. Superintendent and/or Project Manager) for this Project. Provide summary resumes for these individuals, including their name, title, and education, a brief overview of their specific qualifications, capabilities and experience with similar projects, and number of years with your firm. (Note: These individuals will be considered key personnel who must be committed to this Project for its duration, unless excused by the Owner).
25. Provide qualifications information for subcontractors you anticipate using in performing the construction, installation, optimization on the Project, if any, including the location of their offices, capabilities, experience including name, title and a brief overview of professional experience, if any.
26. Describe the way in which your firm develops and maintains project schedules. How often do you update schedules? For three of the projects listed in your ***Company References/Client Profile Information Forms (attached as Exhibit to Respondent's Questionnaire)***, provide examples of how these techniques were used. Include specific examples of scheduling challenges, if any, and how your firm helped solve them (or, if none, avoided them).
27. Describe the types of records, reports, monitoring systems, and information management systems which your firm used in the management of the projects listed in your ***Company References/Client Profile Information Forms (attached as Exhibit to Respondent's Questionnaire)***. Describe how you used these systems for three of the projects and if any of the systems have changed as a result of and experience on one of these or other prior projects.
28. Describe a situation where your firm effectively used phasing, scheduling or other creative means to

complete projects on a fast-track when faced with aggressive completion deadlines. Candidly provide an example of a method which was used and was not as effective at mitigating the effect of an aggressive deadline.

29. Describe the manner in which your firm develops and maintains a project budget. How often do you update the comparison of construction costs to budgeted costs? For three of the projects listed in your *Company References/Client Profile Information Forms (attached as Exhibit to Respondent's Questionnaire)*, provide examples of how these techniques were used. Include specific examples of budget challenges, if any, and how your firm helped solve them (or, if none, avoided them).

SECTION E - CAPABILITY TO PERFORM

30. Provide an organization chart of the Company that depicts reporting responsibilities and organization of proposed team members. This chart must specifically identify the design professionals and subconsultants, program manager, and the key individuals responsible for major disciplines and support areas.
31. Name key personnel who will be part of the Design-Build Team for this Project. Provide summary resumes for proposed Project team members (for which you have not already provided resumes or CV's), including their name, title, and education, a brief overview of their specific qualifications, capabilities and experience with similar projects, and number of years with your firm. (Note: Key personnel must be committed to this Project for its duration, unless excused by the Owner).
32. List the members of the proposed design-build team for this Project listed in the previous question, who also worked on any of the projects listed in your *Company References/Client Profile Information Forms (attached as Exhibit to Respondent's Questionnaire)* and describe their roles in connection with those projects. If the entire design-build team proposed above worked on any Project as an intact team, please so indicate and provide the information about the project or projects using a Company References/Client Profile Information Form to provide the information requested therein.
33. Provide financial reports for the last 2 years, including, at a minimum: Balance Sheet, Income Statement, Statement of Cash Flow, and Statement of Financial Conditions. Include the name, address, and telephone number of the preparer.
34. Are any members of the Design-Build Team involved in the sales or marketing aspect of your business? If so, describe their involvement.
35. Does your firm or any of its members have any affiliation or agreement (formal or informal) with a manufacturer or wholesale provider of press boxes? If so, would this affiliation or agreement require the firm to only recommend, design for or install the products the affiliate manufactures or sells? *[Note: If this question is answered in the affirmative, it will not necessarily disqualify your firm, but it is important for the District to have this information disclosed for transparency purposes.]*
36. List all current projects (and their respective locations) assigned to each individual on the team, with Client contact names and numbers for reference checks.
37. Provide an organizational chart that clearly describes your firm's project organization with supervisory reporting for this program, along with each subconsultant and their area of responsibility.

SECTION F – FINANICAL SOUNDNESS AND STABILITY

38. Provide audited financial reports for the last three (3) years, including at a minimum: Balance Sheet, Income Statements, Statement of Cash Flow, and Statement of Financial Conditions. Include the names, address, and telephone number of the preparer.

39. Please provide the following information:

- Current bonding rating
- Current bonding capacity
- Amount of percentage of bonding capacity currently obligated
- Current bonding rate

b. 40. Please provide a letter from a licensed surety as evidence of ability to bond for payment and performance.

SECTION G – SAFETY COMPLIANCE

41. Submit information on your firm's accident rate, workers compensation multiplier and history for the last TWO (2) years 2021 thru 2023.

**RFQ EXHIBIT 2
REQUIRED FORM**

The Texas Education Code, Section 44.034, Notification of Criminal History, Subsection (a), states “a person or business entity that enters into a contract with a school district must give advance notice to the district if the person or an owner or operator of the business entity has been convicted of a felony. The notice must include a general description of the conduct resulting in the conviction of a felony.”

Subsection (b) states “a school district may terminate a contract with a person or business entity if the district determines that the person or business entity failed to give notice as required by Subsection (a) or misrepresented the conduct resulting in the conviction. The district must compensate the person or business entity for services performed before the termination of the contract.”

This notice is not required of a Publicly-Held Corporation.

I, the undersigned agent for the firm named below, certify that the information concerning notification of felony conviction has been received by me and the following information furnished is true to the best of my knowledge.

Vendor’s Business Name _____

Authorized Company Official’s Name (Printed) _____

A. My firm is a publicly-held, stock-exchange corporation; therefore this requirement is not applicable.

Signature of Company Official: _____

Date Signed: _____

B. My firm is not owned or operated by anyone who has been convicted of a felony.

Signature of Company Official: _____

Date Signed: _____

C. My firm is owned or operated by the following individual(s) who has/have been convicted of a felony (printed name and general description of type of felony or felonies):

1. _____

2. _____

3. _____

4.

Signature of Company Official: _____

Date Signed: _____

**RFQ EXHIBIT 3
REQUIRED FORM**

_____, being first duly sworn, deposes and says this:

(1) He/She is _____ of _____,
(a partner or officer) (the firm of, etc.)
the Offeror who has submitted the attached Proposal.

(2) He/She is fully informed respecting the preparation and contents of the attached Proposal and of all pertinent circumstances respecting such Proposal.

(3) The Proposal is genuine and is not a collusive or sham response.

(4) Neither the said Offeror nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly, with another Offeror, firm or person, to submit a collusive or sham. Response in connection with the Contract Documents for which the attached Proposal has been submitted or to refrain from proposing in connection with such Contract Documents, or has in any manner, directly or indirectly, sought by agreement or collusion, or communication or conferences, with any other Offeror, firm or person to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the District or any person interested in the proposed Contract Documents; and,

(5) The price or prices which are offered in connection with this Proposal are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Offeror or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

(Offeror's Business Name): _____

(Offeror's Representative Signature) _____

(Offeror's Representative Title) _____

Subscribed and sworn to before me on this _____ day of _____, _____.

NOTARY PUBLIC, STATE OF TEXAS

**RFQ EXHIBIT 4
REQUIRED FORM**

Under certain circumstances, the District is required to comply with Texas Government Code, Section 2252.908, Disclosure of Interested Parties. If the District is entering into a contract with a “business entity” (defined below) which requires action by the Board of Trustees or which has a value of the contract is at least \$1 million, Section 2252.908, requires the District obtain a Disclosure of Interested Parties Form 1295 from the contracting business entity that, at the time the contract is signed binding the parties. The form requires disclosure of each “interested party” to the contract of which the contracting business entity is aware and must be signed by an authorized agent of the contracting business entity acknowledging that disclosure is made under oath and under penalty of perjury.

Since the Offeror qualifies as a “business entity” and the contract to be entered for this solicitation is for a value greater than \$1 Million or requires action or a vote by the Board of Trustees the selected Offeror will be required complete and submit Form 1295. **THE FORM MAY ONLY BE FILED ELECTRONICALLY.**

Form 1295 must be submitted on the form promulgated by the Texas Ethics Commission and in compliance with the Commission’s rules, at the time the business entity submits the signed contract to the District. The form must be completed electronically and the process for doing so can be found at the [Texas Ethics Commission website](http://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm) at: http://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm. The filing process will include:

1. **Completing Form 1295 electronically** with the Texas Ethics Commission using the online filing application. The portal for completion of Form 1295, instructions for completion and answers to Frequently Asked Questions can be found at the Texas Ethics Commission website: http://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm
2. **Printing a copy of the completed form** (make sure that it has a computer-generated certification number in the “Office Use Only” box)
3. Having an authorized agent of the business entity **sign the form before a notary public.**
4. **Submitting** the completed, signed and notarized Form 1295, showing the certification of filing with your signed contract.

The District will then acknowledge the receipt of the filed Form 1295 by notifying the Texas Ethics Commission of the receipt of the filed Form 1295 no later than the 30th day after the date the contract is executed by the District, binding all parties to the Contract. Within seven (7) business days after receiving acknowledgement from the District the Texas Ethics Commission will post the completed Form 1295 to its website.

A copy of the current Form 1295 is attached hereto for your reference. You are encouraged to contact your own legal counsel with any questions you may have about the process.

The following **definitions** apply:

1. **“Business Entity”** means an entity recognized by law through which business is conducted, including a sole proprietorship, partnership, or corporation. TEX. GOV’T CODE §2252.908(1).
2. **“Interested Party”** means a person:
 - a) who has a *controlling interest* in a Business Entity with whom the District contracts; or
 - b) who actively participates in facilitating the contract or negotiating the terms of the contract, including a broker, intermediary, adviser, or attorney for the Business Entity. TEX. GOV’T CODE § 2252.908(3).
3. **“Controlling interest”** means:
 - a) an ownership interest or participating interest in a business entity by virtue of units, percentage, shares, stock, or otherwise that exceeds 10 percent;
 - b) membership on the board of directors or other governing body of a business entity of which the board or other governing body is composed of not more than 10 members; or
 - c) service as an officer of a business entity that has four or fewer officers, or service as one of the four officers most highly compensated by a business entity that has more than four officers.
4. **“Intermediary”** means a person who actively participates in the facilitation of the contract or negotiating the contract, including a broker, adviser, attorney, or representative of or agent for the business entity who:
 - a) receives compensation from the business entity for the person’s participation;
 - b) communicates directly with the governmental entity or state agency on behalf of the business entity regarding the contract; and
 - c) is not an employee of the business entity. TEX. ETHICS COMM. RULE 46.3(e).

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

| | |
|---|------------------------|
| Complete Nos. 1 - 4 and 6 if there are interested parties. Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties. | OFFICE USE ONLY |
| 1 Name of business entity filing form, and the city, state and country of the business entity's place of business. | |
| 2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed. | |

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

| Name of Interested Party | City, State, Country (place of business) | Nature of Interest (check applicable) | |
|--------------------------|---|---------------------------------------|--------------|
| | | Controlling | Intermediary |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

5 Check only if there is NO Interested Party.

6 UNSWORN DECLARATION

My name is _____, and my date of birth is _____.

My address: _____, _____, _____, _____, _____
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the _____ day of _____, 20____.
(month) (year)

 Signature of authorized agent of contracting business entity
 (Declarant)

ADD ADDITIONAL PAGES AS NECESSARY

Must file online at www.ethics.state.tx.us/File

**RFQ EXHIBIT 5
REQUIRED FORM**

I, _____, acknowledge receipt of the following Addendums to the Request for Proposals – Press Box Project issued by the Karnes City Independent School District, on behalf of the Offeror listed below:

Addendum No. ___ Dated: _____ Entitled: _____

Addendum No. ___ Dated: _____ Entitled: _____

Addendum No. ___ Dated: _____ Entitled: _____

Offeror’s Business Name: _____

Offeror’s Representative Signature: _____

Offeror’s Representative Title: _____

Date: _____

**RFQ EXHIBIT 6
REQUIRED FORM**

CERTIFICATIONS BY DESIGN-BUILD FIRM

On this _____ day of _____, appeared _____, who being first duly sworn, made the following certifications:

He/she is _____ of _____
(partner, officer or other capacity) (the Design-Build Firm of, etc.)

the Design-Build Firm submitting the attached Statement of Qualifications, and has personal knowledge of the information stated below:

a. The Design-Build Firm listed above includes an engineer/architect (select as appropriate to the Project) licensed to practice in the State of Texas and builder qualified to engage in construction and authorized by the Comptroller to do business in Texas.

b. Each architect or engineer that is a member of the Design-Build Firm submitting this Statement of Qualifications was selected based upon demonstrated competence and qualifications in the manner provided by Texas Government Code, Section 2254.004.

Subscribed and sworn to before me on this _____ day of _____, 2024.

NOTARY PUBLIC, STATE OF TEXAS