

**REQUEST FOR QUALIFICATIONS**

**FOR**

**2017 Construction Materials, Geotechnical, and Forensic  
Engineering Services Rotation List**

**CLMP200**

**ISSUE DATE: July 1, 2016**

**RESPONSES DUE: August 3, 2016**

**PRIOR TO: 3:00 PM**

**DELIVER TO:**

**CAPITAL CONTRACTING OFFICE  
CONTRACT PROCUREMENT DIVISION  
ATTN: Steve Cocke**

**505 BARTON SPRINGS RD., STE  
1045-C  
AUSTIN, TEXAS 78704**





# City of Austin

*Founded by Congress, Republic of Texas, 1839*  
*Capital Contracting Office, PO Box 1088, Austin, Texas 78767 Telephone 512/974-7181*

July 1, 2016

Re: Announcement  
Request for Statements of Qualifications (RFQ) for Providing Professional Engineering Services: 2017  
Construction Materials, Geotechnical, and Forensic Engineering Services Rotation List  
Solicitation Number: CLMP200

The City of Austin, through Various Departments and its Capital Contracting Office, is requesting statements of qualifications for the selection of professional construction materials, geotechnical, and forensic engineering services firms for the above-noted project. Statement of qualifications will be due **PRIOR to 3:00 p.m.**, Wednesday, August 3, 2016, at 505 Barton Springs Road, Suite 1045-C, Austin, TX 78704. All SOQs not received and stamped prior to the date and time set forth above will not be accepted for consideration. The time stamp clock in the Suite 1045-C Reception Area is the time of record and is verified with [www.time.gov](http://www.time.gov), the Official U.S. time. The selection process for this project is anticipated to be completed for City Council action in November 2016.

**A pre-response meeting will be held beginning at 2:30 pm, Monday, July 11, 2016, One Texas Center 505 Barton Springs Rd. Austin, TX 78704, Room 325 / 3<sup>rd</sup> Floor.** The purpose of the meeting will be to respond to consultants' questions about the project and the procurement process. Attendance at the meeting is not a requirement for selection; however, meeting minutes will not be issued.

**All prime firms and subconsultants must be registered to do business with the City of Austin prior to the contract award.** Prime firms are responsible for ensuring that their subconsultants are registered as vendors with the City of Austin. You may register through the City of Austin's online Vendor Registration system. Log on to [www.austintexas.gov/financeonline/vendor\\_connection/index.cfm](http://www.austintexas.gov/financeonline/vendor_connection/index.cfm) and follow the directions.

A Request for Statements of Qualifications (RFQ) for these services is available which provides project background and requirements for submittal. For a copy of the RFQ, log on to the City's Vendor Connection at [www.austintexas.gov/financeonline/vendor\\_connection/index.cfm](http://www.austintexas.gov/financeonline/vendor_connection/index.cfm). The complete RFQ packet is located as an attachment under the solicitation CLMP200. The authorized contact persons for this solicitation are Jay Ulary, Project Manager, 512-974-7113, or Steve Cocke, Buyer II, 512-974-7998. Please contact Jay Ulary for all project related questions and me for any RFQ procurement process questions.

Sincerely,

Steve Cocke, Buyer II  
Contract Procurement Division  
Capital Contracting Office

cc: Jay Ulary, Public Works





## REQUEST FOR QUALIFICATIONS

Solicitation Number: CLMP200

Project Name: 2017 Construction Materials, Geotechnical, and Forensic  
Engineering Services Rotation List

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The following is a summary of information for this Solicitation. The Consultant is cautioned to refer to other sections of this Request for Qualifications (RFQ) packet for further details.

The City of Austin, through its Capital Contracting Office, is requesting Statements of Qualifications (SOQs) for the selection of engineering services for the above-noted project.

**Submittals will be received at 505 Barton Springs Road, Suite 1045-C, Austin, TX 78704, Capital Contracting Office.**

**ALL SUBMITTALS ARE DUE ON: August 3, 2016 PRIOR TO 3:00 pm**

**ATTENTION: Steve Cocke**

**ALL SUBMITTALS NOT RECEIVED PRIOR TO THE DATE AND TIME SET FORTH ABOVE WILL NOT BE ACCEPTED FOR CONSIDERATION.** The time stamp clock in the **Suite 1045-C** Reception Area is the time of record and is verified with [www.time.gov](http://www.time.gov), the Official U.S. time. The qualification statement evaluation criteria for this project are included in this packet for your information. The selection process for this project is anticipated to be complete for City Council action in November. Contract execution is anticipated for January.

All prime firms and subconsultants must be registered to do business with the Owner prior to the contract award. Prime firms are responsible for ensuring that their subconsultants are registered as vendors with the City of Austin. You may register through the Owner's on-line Vendor Registration system. Log on to the following link and follow the directions:

[https://www.austintexas.gov/financeonline/vendor\\_connection/index.cfm](https://www.austintexas.gov/financeonline/vendor_connection/index.cfm).

The selected consultant will be required to execute a standard City of Austin professional services agreement. Prior to contract execution, the selected firm must submit either their existing or an updated personnel policy (on letterhead) documenting conformity with City Code, 5-4, § 5-4-2. If the Consultant does not submit a copy of their personnel policy incorporating the non-discrimination policy, the company will not be in compliance and the City will exercise its option to cease contract negotiations.

The selected consultant shall carry insurance in the following types and amounts for the duration of the Agreement, and furnish certificates of insurance along with copies of policy declaration pages and policy endorsements as evidence thereof:

- Workers' Compensation and Employers' Liability Insurance with coverage consistent with statutory benefits outlined in the Texas Workers' Compensation Act (Section 401). The minimum policy limits for Employers' Liability Insurance are \$100,000 bodily injury each accident, \$500,000 bodily injury by disease policy limit and \$100,000 bodily injury by

disease each employee. The firm's policy shall apply to the State of Texas and include these endorsements in favor of the City of Austin:

- (a) Waiver of Subrogation, form WC 420304.
- (b) 30 day Notice of Cancellation, form WC 420601.
- Commercial General Liability Insurance with a minimum combined bodily injury and property damage per occurrence limit of \$500,000 for coverage A & B. The policy shall contain the following provisions:
  - (a) Contractual liability coverage for liability assumed under the Agreement and all contracts relative to this project.
  - (b) Products/Completed Operations Liability for the duration of the warranty period.
  - (c) If the project involves digging or drilling, Explosion, Collapse, and Underground (XCU) coverage
  - (d) Independent Contractors coverage (Contractors/ Subcontractors work).The policy shall contain the following endorsements in favor of the City of Austin:
  - (a) Waiver of Subrogation, endorsement CG 2404.
  - (b) 30 day Notice of Cancellation, endorsement CG 0205.
  - (c) Additional Insured, endorsement CG 2010.
- Business Automobile Liability Insurance for all owned, non-owned and hired vehicles with a minimum combined single limit of \$500,000 per occurrence for bodily injury and property damage. Alternate acceptable limits are \$250,000 bodily injury per person, \$500,000 bodily injury per occurrence and at least \$100,000 property damage liability per accident. The policy shall contain the following endorsements in favor of the City of Austin:
  - (a) Waiver of Subrogation, endorsement CA 0444.
  - (b) 30 day Notice of Cancellation, endorsement CA 0244.
  - (c) Additional Insured, endorsement CA 2048.
- Professional Liability Insurance with a minimum limit of \$ 1,000,000.00 per claim and in aggregate to pay on behalf of the assured all sums which the assured shall become legally obligated to pay as damages by reason of any negligent act, error, or omission committed or alleged to have been committed with respect to estimates, schedules, analyses, reports, surveys, designs or specifications prepared or alleged to have been prepared by the assured. Coverage, including any renewals, shall have a retroactive date coincident with or prior to the date of the Agreement. The consultant shall provide the City of Austin annually with a certificate of insurance as evidence of such insurance. The policy shall provide for 30 day notice of cancellation in favor of the City of Austin. The consultant shall provide a discovery period on professional liability policies that is commensurate with the warranty period of the project.

Should you have any questions concerning the information included in this RFQ, **please attend a pre-response meeting on Monday, July 11, 2016 at 2:30 pm at One Texas Center, 505 Barton Springs Road, 3rd floor, Room 325, Austin, Texas Austin, Texas.** Attendance at the meeting is not required; however, meeting minutes will not be issued.

Thank you for requesting the RFQ and your interest in the City of Austin. For information about other professional services procurement actions of this office, please visit us at [https://www.austintexas.gov/financeonline/vendor\\_connection/index.cfm](https://www.austintexas.gov/financeonline/vendor_connection/index.cfm).

**AUTHORIZED CONTACT PERSONS**

**BUYER II: Steve Cocke**

**Telephone (512) 974-7998**

**Email [steven.cocke@austintexas.gov](mailto:steven.cocke@austintexas.gov)**

**PROJECT MANAGER: Jay Ulary**

**Telephone (512) 974-7113**

**Email [jay.ulary@austintexas.gov](mailto:jay.ulary@austintexas.gov)**

**END**





## INSTRUCTIONS TO CONSULTANTS

Solicitation Number: CLMP200

Project Name: 2017 Construction Materials, Geotechnical, and Forensic Engineering Services Rotation List

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### I. Preparation of Response

- a. **Request for Qualifications (RFQ) Response Forms.** Enclosed are the RFQ response forms which are to be completed and returned as part of your firm's response. Please use the enclosed current forms and organize your response in the order in which the forms are presented in the Table of Contents. **Forms may be recreated; however, all requested information must be included.**
- b. **Statement of Qualifications (SOQ):** Please submit **one (1) original, stamped "ORIGINAL" and one (1) electronic copy on CD or flash drive** of the RFQ response. Wherever used, "page" refers to single-sided, single-spaced, 10 point minimum font printed on 8 ½ x 11 inch pages. Sections should be divided by tabs for ease of reference.

Responses sent to the City of Austin are subject to disclosure pursuant to the Public Information Act, Government Code, Chapter 552.

- c. **Disclosure of Proprietary Information.** All materials submitted to OWNER become public property and are subject to the Texas Public Information Act, Government Code Chapter 552, upon receipt. If Consultant does not desire proprietary information in the Proposal to be disclosed, each page must be identified and marked proprietary at time of submittal. OWNER will, to the extent allowed by law, endeavor to protect such information from disclosure. The final decision as to what information must be disclosed, however, lies with the Texas Attorney General. Failure to identify proprietary information will result in all unmarked sections being deemed non-proprietary and available upon public request.
- d. **Further Information.** Information may be secured by contacting the authorized contact persons listed in the RFQ. Persons desiring further information or interpretation of the solicitation requirements shall make a written request for such information to OWNER no later than seven (7) working days before submittal due date and time. Interpretation of Solicitation Documents will be made by Addendum or Clarification and a copy of each document will be emailed to each person to whom has obtained a RFQ packet. The addendum or clarification will also be available through the City's Vendor Connection.
- e. **Anti-Lobbying and Procurement.** Entities submitting statements of qualifications, including their agents and representatives, shall not undertake any activities or actions to promote or advertise their statement of qualifications to any member of the Austin City Council or City staff except in the course of City-sponsored inquiries, briefings, interviews, or presentations between the statement of qualifications submission date

and award by City Council. Any violation of this provision may result in disqualification of the entity. Entity shall execute by signature the following Entity's Affidavit of Non-Collusion, Non-Conflict of Interest, and Anti-Lobbying and return the signed affidavit with their statement of qualifications. The Affidavit form is Form 4 under Proposal Forms. Article 6, Chapter 2-7, Austin City Code, prohibits lobbying activities or representations by the Consultant between the date that the Request for Qualifications (RFQ) is issued and the date of contract execution. The text of the pertinent City Ordinance may be viewed at the following link:

<http://www.cityofaustin.org/edims/document.cfm?id=161145>.

- f. Certificate of Interested Parties.** As required by Section 2252.908 of the Texas Government Code, the Consultant who is awarded the contract is required to submit to the OWNER a complete Form 1295 "Certificate of Interested Parties" that is signed and notarized prior to contract execution. This form must be completed and printed on the Texas Ethics Commission website and returned to Contract Developer at the time of execution of the contract. Information and instructions on completing the form can be found at the following website:

[https://www.ethics.state.tx.us/whatsnew/elf\\_info\\_form1295.htm](https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm)

(1) Definitions

- (A) "Authorized Contact Person" means the Project Manager listed in the Cover Letter of the RFQ, or other persons specifically named and designated in the RFQ as the contact for questions and comments regarding the RFQ.
- (B) "No-Contact Period" means the period of time from the date the RFQ is issued until a contract is executed. If the City withdraws the RFQ or rejects all responses with the stated intention to reissue the same or a similar RFQ for the same or similar project, the no-contact period continues during the time period between the withdrawal and reissue.
- (C) "Response" means a statement of qualifications.
- (D) "Respondent" means a person responding to a City solicitation including a bidder, a quoter, responder, or a proposer. The term "respondent" also includes:
- (i) an owner, board member, officer, employee, contractor, subsidiary, joint enterprise, partnership, agent, lobbyist, or other representative of a respondent;
  - (ii) a person or representative of a person that is involved in a joint venture with the respondent, or a subconsultant in connection with the respondent's response; and
  - (iii) a respondent who has withdrawn a Response or who has had a Response rejected or disqualified by the City.

- (E) "Representation" means a communication related to a response to a council member, official, employee, or City representative that is intended to or that is reasonably likely to:
- (i) provide information about the Response;
  - (ii) advance the interests of the Respondent;
  - (iii) discredit the Response of any other respondent;
  - (iv) encourage the City to withdraw the RFQ;
  - (v) encourage the City to reject all of the responses;
  - (vi) convey a complaint about a particular response; or
  - (vii) directly or indirectly ask, influence, or persuade any City official, City employee, or body to favor or oppose, recommend or not recommend, vote for or against, consider or not consider, or take action or refrain from taking action on any vote, decision, or agenda item regarding the solicitation.
- (F) "City" means Owner.

(2) Restrictions on Contacts

- (A) During a no-contact period, a Respondent shall make a representation only through the authorized contact person.
- (B) During the no-contact period, a Respondent may not make a representation to a City official or to a City employee other than to the authorized contact person. This prohibition also applies to a vendor that communicates and then becomes a Respondent.
- (C) The prohibition of representation during the no-contact period applies to a representation initiated by a Respondent, and to a representation made in response to a representation initiated by a City official or a City employee other than the Authorized Contact Person.
- (D) If the City withdraws an RFQ or rejects all Responses with a stated intention to reissue the same or similar RFQ for the same or similar project, the no-contact period shall expire after the ninetieth day after the date the RFQ is withdrawn or all Responses are rejected if the RFQ has not been reissued during the 90-day period.
- (E) For a single vendor award, the no-contact period shall expire when the first of the following occurs: contract is executed or solicitation is cancelled
- (F) For a multiple vendor award, the no-contact period shall expire when the last of the following occurs: all contracts are executed, negotiations have been fully terminated, or the ninetieth day after the solicitation is cancelled.
- (G) The purchasing officer or the director may allow respondents to make representations to city employees or city representatives in addition to the

authorized contact person for a solicitation that the purchasing officer or the director finds must be conducted in an expedited manner; an expedited solicitation is one conducted for reasons of health or safety under the shortest schedule possible with no extensions. The purchasing officer's or director's finding and additional city employees or city representative who may be contacted must be included in the solicitation documents.

- (H) Representation to an independent contractor hired by the City to conduct or assist with a solicitation will be treated as representations to a City employee.
- (I) A current employee, director, officer, or member of a respondent, or a person related within the first degree of consanguinity or affinity to a current employee, director, officer or member of a respondent, is presumed to be an agent of the respondent for purposes of making a representation. This presumption is rebuttable by a preponderance of the evidence as determined by the purchasing officer or director.
- (J) A respondent's representative is a person or entity acting on a respondent's behalf with the respondent's request and consent. For example, a respondent may email their membership list and ask members to contact council members on the respondent's behalf. The members are then acting per respondent's request and with their consent, and the members have become respondent representatives.

(3) Permitted Representations

- (A) If City seeks additional information from respondent, the Respondent shall submit the representation in writing **only** to the authorized contact person. The contact person will then distribute the written representation in accordance with the terms of the RFQ. A Respondent cannot amend or add information to a Response after the Response deadline.
- (B) If respondent wishes to send a complaint to the City, the respondent shall submit the complaint in writing only to the authorized contact person. The authorized contact person will then distribute a complaint regarding the process to members of the City Council or members of the City board, to the director of the department that issued the solicitation, and to all respondents of the RFQ. However the director shall not permit distribution of any complaint that promotes or disparages the qualifications of a respondent, or that amends or adds information to a response. A determination what constitutes promoting or disparaging the qualifications of a respondent or constitutes amending or adding information is at the director's sole discretion.
- (C) If a Respondent submits a written inquiry regarding an RFQ, the authorized contact person will provide a written answer and distribute both the inquiry and answer to all Respondents on the RFQ.
- (D) If a Respondent does not receive a response from the authorized contact person, the Respondent may contact the director as appropriate.

- (E) A respondent may ask a purely procedural question, for example a question regarding the time or location of an event or where information may be obtained, of a City employee other than the authorized contact person. No suggestions or complaints about the contract process that constitute a representation to a City employee is allowed. A respondent may not ask a procedural question to a Council member, a council member's aide, or of a City board member except in a meeting held under the Texas Government Code, Chapter 551 (Open Meetings Act).
  
  - (F) The Anti-Lobbying ordinance allows representations:
    - (1) made at a meeting convened by the authorized contact person, including meetings to evaluate responses or negotiate a contract;
    - (2) required by protest procedures for vendors;
    - (3) made at a protest hearing;
    - (4) provided to the Small & Minority Business Resources Department in order to obtain compliance with the MBE/WBE Procurement Program Ordinance;
    - (5) made to the City Risk Management coordinator about insurance requirements for a solicitation;
    - (6) made public at a meeting held under the Open Meetings Act; or
    - (7) made from a respondent's attorney to an attorney in the Law Department in compliance with Texas Disciplinary Rules of Professional Conduct.
  
  - (G) Nothing in the Anti-Lobbying Ordinance prohibits communications regarding the solicitation between or among City official or City employees acting in their official capacity.
  
  - (H) A contribution or expenditure defined in Chapter 2-2 (Campaign Finance) is not a representation.
- (4) Contract Voidable. If a contract is awarded to a Respondent who has violated these Anti-Lobbying & Procurement provisions, the contract is voidable by the Owner.
  - (5) Debarment. If a Respondent has been disqualified under these provisions more than two times in a sixty month period the purchasing officer shall debar the responder from responding for a period not to exceed three years, provided the Respondent is given written notice and a hearing in advance of the debarment.

## II. Rejection of Proposals

OWNER reserves the right to reject any or all responses received for this RFQ and to waive any minor informality in any submittal or solicitation procedure (a minor informality is one that does not affect the competitiveness of the Consultants).

I. The following **will** cause your firm to be deemed non-responsive:

- Form 2 – Affidavit of Authentication is not included with original signature and notarized.
- Form 3a– Prime Firm’s EEO Program is not included with original signature certifying firm conforms to City Code 5-4-2.
- Form 4 - Affidavit of Non-Collusion, Non-Conflict of Interest, and Anti-Lobbying is not included with original signature and notarized.
  
- The required Key Personnel do not have a current license/registration in the State of Texas at the time of submittal.
- The required Key Personnel are not employed by the prime firm as stated in the evaluation criteria.
- Failure to submit MBE/WBE or DBE Compliance Plan (or other MBE/WBE Procurement Program documents) in accordance with the MBE/WBE Procurement Program Package or DBE Procurement Program Package.
- Failure to have an authorized agent of the Proposer attend the mandatory Pre-Response Meeting, if applicable.
- Statement of Qualifications (SOQs) received from a Proposer who has been debarred or suspended by OWNER’s Purchasing Officer.
- SOQs received from a Proposer when Proposer or principals are currently debarred or suspended by Federal, State or City governmental agencies.

II. The following **may** cause your firm to be deemed non-responsive:

- Failure to provide a SOQ stamped “ORIGINAL”.
- Failure to provide the correct number of “COPY” SOQs.
- Failure to provide an electronic version on CD or Flash Drive of your complete SOQ.
- Form 3b – Title VI Assurances is not included with original signature.
- Form 5 - Affidavit of Availability is not included with original signature and notarized.
- Form 6 – Affidavit of Contract Execution is not included with original signature and notarized.
- Failure to provide a response to one or more of the Consideration Items.
- Response failed to show the prime firm performing the plurality of the services.

- Prime firm and/or subconsultants did not provide the number of projects required for an evaluation criteria item.
- Exceeding the maximum number of page limitations in any of the sections designated.
- Including projects that have not been completed within the specified time period.
- Combining forms.
- Failure to use the current City of Austin forms.
- Failure to acknowledge receipt of Addenda on Form 1 – Prime Firm General Information.
- Listing a subconsultant's qualifications in the body of the SOQ, yet failing to list the subconsultant on the compliance plan.

**III. Release of Information**

Under Texas law, information relating to this Solicitation may be kept confidential until a contract has been executed. OWNER shall not release information relative to this Solicitation during the proposal evaluation process or prior to contract execution, except as otherwise required by law.

**IV. Award and Execution of Contract**

Capital Contracting Director shall submit recommendation for award to the City Council for those project awards requiring City Council action. Contract will be signed by City Manager or his/her designee after award and submission of required documentation by consultant. Contract will not be binding upon OWNER until it has been executed by both parties. OWNER will process the Contract expeditiously. However, OWNER will not be liable for any delays prior to the award or execution of Contract. The consultant must adhere to the terms stated in Form 6 – Affidavit of Contract Execution.

Upon contract award, the selected consultant must submit either their existing or an updated personnel policy (on letterhead) documenting conformity with City Code, Chapter 5-4, § 5-4-2. If the company does not submit a copy of their personnel policy incorporating the non-discrimination policy, the company will not be in compliance and will not receive a contract award.

**V. Protest Procedures**

The OWNER's Capital Contracting Director has the authority to settle or resolve any claim of an alleged deficiency or protest. The procedures for notifying the City of an alleged deficiency or filing a protest are listed below. If you fail to comply with any of these requirements, the Capital Contracting Director may dismiss your complaint or protest.

Prior to Solicitation Due Date: If you are a prospective Respondent and you become aware of the facts regarding what you believe is a deficiency in the solicitation process before the Solicitation is due, you must notify the City in writing, through the authorized contact person, of the alleged deficiency before that date, giving the City an opportunity to resolve the situation prior to the Solicitation Due Date.

After Solicitation Due Date: If you submit a response to the City and you believe that there has been a deficiency in the solicitation process or the award, you have the opportunity to protest the solicitation process or the recommended award as follows:

1. You must file written notice of your intent to protest within four (4) calendar days of the date that you know or should have known of the facts relating to the protest. If you do not file a written notice of intent within this time, you have waived all rights to protest the solicitation process or the award.
2. You must file your written protest within fourteen (14) calendar days of the date that you know or should have known of the facts relating to the protest unless you know of the facts before the Solicitation was due. If you know of the facts before that date, you must notify the City as stated above.
3. You must submit your protest in writing, through the authorized contact person, and must include the following information:
  - a. your name, address, telephone, and fax number;
  - b. the solicitation number and the CIP number, if applicable;
  - c. a detailed statement of the factual grounds for the protest, including copies of any relevant documents.
4. Your protest must be concise and presented logically and factually to help with the City's review.
5. When the City receives a timely written protest, the Capital Contracting Director will determine whether the grounds for your protest are sufficient. If the Capital Contracting Director decides that the grounds are sufficient, the Capital Contracting Office will schedule a protest hearing, usually within five (5) working days. If the Capital Contracting Director determines that your grounds are insufficient, you will be notified of that decision in writing.
6. The protest hearing is informal and is not subject to the Open Meetings Act. The purpose of the hearing is to give you a chance to present your case, it is not an adversarial proceeding. Those who may attend from the City are: representatives from the department that requested the purchase, the Law Department, the Capital Contracting Office and other appropriate City staff. You may bring a representative or anyone else that will present information to support the factual grounds for your protest with you to the hearing.
7. A decision will usually be made within fifteen (15) calendar days after the hearing.

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8. The Capital Contracting Director will send you a copy of the hearing decision after the appropriate City staff have reviewed the decision.
  9. When a protest is filed, the City usually will not make an award until a decision on the protest is made. However, the City will not delay an award if the City Manager or the Capital Contracting Director determines that:

- a. The City urgently requires the supplies or services to be purchased, or
- b. Failure to make an award promptly will unduly delay delivery or performance.

In those instances, the Capital Contracting Office will notify you and make every effort to resolve your protest before the award.

10. The protest or notice of intent and the protest shall be submitted in writing to the following address:

P.O. Address for U.S. Mail:

City of Austin  
ATTN: Capital Contracting Officer  
P.O. Box 1088  
Austin, Texas 78767-0845

Street Address for Hand Delivery/Courier Service:

City of Austin  
ATTN: Capital Contracting Officer  
505 Barton Springs Road, Suite 1045-A  
Austin, Texas 78704

PHONE: (512) 974-7181

**END**





## SCOPE OF SERVICES

Solicitation Number: CLMP200

Project Name: 2017 Construction Materials, Geotechnical, and Forensic Engineering Services Rotation List

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### **PROJECT FOR:**

CITY OF AUSTIN, PUBLIC WORKS DEPARTMENT, THROUGH ITS CAPITAL CONTRACTING OFFICE

### **PROJECT TITLE:**

2017 CONSTRUCTION MATERIALS, GEOTECHNICAL, AND FORENSIC ENGINEERING SERVICES RL

### **OBJECTIVES OF THE PROJECT**

The City of Austin (City) anticipates contracting with qualified firms for an approximate two (2) year period to provide construction materials, geotechnical, and forensic engineering services in the following three (3) categories:

- **Category 1: Construction Materials Testing**  
Conduct investigations, evaluations and testing of soils, aggregates, structural steel welding and erections, asphaltic concrete and Portland cement concrete, as needed, for roadways, utilities, buildings, parking lots and other engineered structures.
- **Category 2: Geotechnical Engineering**  
Conduct geotechnical engineering services and provide subsurface investigations for streets, utilities, buildings, parking lots, and other engineered structures.
- **Category 3: Forensic Engineering**  
Conduct forensic engineering services to assist the City in determination of the cause of material failures and to provide recommendations on how to correct the problem. Work may involve special tests including petrography, scanning electron microscopy, x-ray diffractometry, and x-ray spectroscopy evaluations for streets, utilities, buildings, parking lots, and other engineered structures. The work may also require expert witness testimony services regarding the results of the forensic investigation.

### **BACKGROUND**

The City currently has service agreements with 14 firms to provide construction materials, geotechnical, and, forensic engineering services. It is anticipated that the authorized funding for the existing "Geotechnical, Construction Materials, and Forensic Engineering Services Rotation List" will be expended by February 2017.

This Request for Qualifications (RFQ) will be open to all qualified local engineering consulting firms and will encompass construction materials, geotechnical, and forensic engineering services. The City intends to select all firms meeting the minimum qualifications outlined in the RFQ.

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**ANTICIPATED SERVICES:**

The selected firms will provide professional services for one, two, or all three of the following categories. Firms should indicate the desired category or categories in the statement of qualifications.

- **Category 1: Construction Materials Testing**

The City anticipates a combination of services required for designated site-specific development and building construction projects for both City Capital Improvement Program projects and certain privately-funded developer projects. The services associated with this category will typically include laboratory and field testing of construction materials and preparations of testing and inspection reports. The City requires the selected firms to provide "call-out" sampling, laboratory and field investigations, and preparation of reports indicating whether or not the materials meet the requirements of the Construction Documents. Work in this area may include one or more of the following: soil, rock, concrete, Hot Mix Asphalt Concrete (HMAC), welding, and flexible base stockpiles.

- **Category 2: Geotechnical Engineering**

The City anticipates a combination of services for Geotechnical Engineering for Capital Improvements Program projects including subsurface exploration, laboratory and field-testing of soil and rock, and geotechnical engineering analyses and recommendations. Firms selected for this category will be expected to:

- Conduct field investigations of subsurface soil and rock.
- Perform standard laboratory tests to determine soil and rock properties and accurately depict existing subsurface conditions.
- Perform specialized tests such as hardness and abrasivity, and other special tests as required.
- Prepare written reports that contain facts (such as laboratory test results and subsurface exploration observations), interpretations (such as shrink/swell potential, stratigraphy, geologic structural features and the presence of groundwater), and recommendations (such as excavation methods, preferred pipe bedding materials, influence of groundwater, influence of adjacent structures, preferred types of foundations, allowable loads, and permissible slopes) appropriate for the type of investigation. The reports shall contain project location maps, boring location maps, geotechnical (geological) profiles, boring logs, and other exhibits as required. Reports shall be submitted in both electronic format as well as bound paper documents. Typical projects will involve sampling, laboratory and field-testing, and geotechnical engineering analyses for street pavement structural design, building foundations, wastewater and drainage tunnels, utility trenches, roadway embankments, embankment dams, and landslides. Other services, such as field inspections of drilled piers and other foundation excavations, may also be required under this category as determined on a project-by-project basis.

- **Category 3: Forensic Engineering**

The City anticipates that the firms selected for Forensic Engineering will provide all services related to determining the causes of failure of constructed structures, including providing expert witness testimony if a project enters litigation. The services associated with this category will typically include:

- Field sampling and engineering observation.
- Laboratory and field-testing.
- Materials engineering evaluations and investigations using petrography, x-ray diffractometry, scanning electron microscopy, x-ray spectroscopy, and other analytical test methods.
- Determine scope of tests and data required to assess the cause of failure.
- Evaluation of all collected data and determination of the cause of failure.
- Preparation and submittal of a report with findings and recommendations to the City of Austin Law Department as a document with attorney-client privilege.

In responding to this offering, firms will prioritize the categories of work in which they wish to provide services. It is anticipated that each firm could be selected to provide services in one or more of the above categories. Firms will be advised to designate only those categories in which they are qualified/certified to provide services. When a firm designates a specific category, the firm must be able to document a capability to provide all of the services required in the designated category either by themselves or through a subcontractor.

### **MINIMUM QUALIFICATIONS**

**Statements of qualifications not demonstrating that all of the following minimum qualifications are met may be rejected as non-responsive. Firms shall demonstrate that these qualifications are met via Forms A, B, C, D or other forms as identified in the criteria.**

#### **General**

- The nature of the work requires selected firms to respond to urgent requests associated with the schedules of other City construction projects. Therefore, the City requires that the selected firms will presently have a permanent, fully-operational, organized and fully-functional, established laboratory facility and offices that are located in the Austin Metropolitan Statistical Area and staffed by local personnel. The selected firms shall document in the Evaluation Criteria that they have provided services for a minimum of three (3) years prior to the date of this RFQ of the same type as specified in the selected category.
- The City requires that field sampling and explorations, laboratory and field testing, and engineering analyses and investigations for all Category 1 (Construction Materials Testing) and Category 2 (Geotechnical Engineering) services will be directed by a registered Professional Engineer licensed in the State of Texas, who is identified as the firm's project manager or project professional assigned permanently to the Austin facility and whose specialty and recent experience is in the category for which the firm will provide services to the City.

- The City requires that the selected firms for Category 3 (Forensic Engineering) services will be directed by a registered Professional Engineer licensed in the State of Texas, who is identified as the firm’s project manager and whose specialty and recent experience is in the specific area of engineering for which the firm will provide forensic engineering services to the City. The project manager must be the local, primary contact for proposals and for resolving quality of service issues and issues related to the firm’s contractual relationship with the City. With approval from the City Rotation List Manager, it may be acceptable for the firm to assign a project professional from another of the firm’s offices in the United States.

Laboratory Accreditation

- The City requires the laboratories that provide services under all categories to be accredited/certified by the American Association for Laboratory Accreditation (A2LA) or the American Association of State Highway and Transportation Officials (AASHTO) Accreditation Program (AAP) at time of submittal of the Proposal.
- The City requires the laboratories that provide services under Category 1 (Construction Materials Testing) and Category 2 (Geotechnical Engineering) to meet the requirements of American Society for Testing and Materials (ASTM) E329, D3740, and C1077, and to be accredited in the tests and procedures listed in Tables 1 through 5 below.
- The City requires the laboratories that provide services under Category 3 (Forensic Engineering) to meet the requirements of the American Society for Testing and Materials (ASTM) E543, to be accredited by a laboratory accreditation authority, to be nationally recognized for the expertise of the professional and technical staff as evidenced by publication of articles in industry technical journals and magazines concerning forensic studies of construction materials, or must have fully-documented, comparable demonstration of qualifications and experience.
- The City requires the laboratories that provide services in the specific area of HMAC testing to meet the requirements of American Society for Testing and Materials (ASTM) E329 and D3666 and to be accredited in those tests and procedures listed in Tables 3, 4, and 5. In addition, before being given any HMAC testing assignments, the laboratory must have previously completed the City’s side-by-side testing program or be TxDOT approved.
- The City requires the laboratories that provide flexible base stockpile testing services be accredited in TxDOT 116E and 117E.

**Table 1. SOIL TESTS AND PROCEDURES**

ASTM	AASHTO	TxDOT	TITLE
D421	T87	Tex-101-E	Practice for Dry Preparation of Soil Samples for Particle-Size Analysis and Determination of Soil Constants
D422	T88	Tex-110-E	Test Method for Particle-Size Analysis of Soils
D698	T99	Tex-113-E	*Laboratory Compaction Characteristics and Moisture-Density Relationship of Base Materials and Cohesionless sand

D698	T99	Tex-114-E	*Laboratory Compaction Characteristics and Moisture-Density Relationship of Subgrade & Embankment Soils
D1140	T11	Tex-111-E	*Determination of Amount of Material in Soils Finer Than the 75- $\mu$ m (No. 200) Sieve
D2216	T265	Tex-103-E	*Determination of Moisture Content in Soil Materials
D1557	T180		Test Method for Laboratory Compaction Characteristics of Soil Using Modified Effort (56,000 lbf/ft <sup>3</sup> (2,700 kN/m <sup>3</sup> ))
D2217	T146	Tex-101-E	Practice for Wet Preparation of Soil Samples for Particle-Size Analysis and Determination of Soil Constants
D2487		Tex-142-E	Classification of Soils for Engineering Purposes (Unified Soil Classification System)
D2488		Tex-141-E	Practice for Description and Identification of Soils (Visual-Manual Procedure)
D2922	T238	Tex-115-E Part II	Test Methods for Density of Soil and Soil-Aggregate in Place by Nuclear Methods (Shallow Depth)
D3017	T239	Tex-115-E Part II	Test Method for Water Content of Soil and Rock in Place by Nuclear Methods (Shallow Depth)
D4318	T89	Tex-104-E	*Determination of Liquid Limit of Soils
D4318	T90	Tex-105-E	*Determination of Plastic Limit of Soils
D4318	T90	Tex-106-E	*Method of Calculating the Plasticity Index of Soils
		Tex-121-E	*Soil Lime Compression Test

\* Title from TxDOT Manual; all others titles are from ASTM Standards

**Table 2. CONCRETE TESTS AND PROCEDURES**

ASTM	AASHTO	TxDOT	TITLE
C31	T23	Tex-447-A	Practice for Making and Curing Concrete Test Specimens in the Field
C39	T22	Tex-418-A	Test Method for Compressive Strength of Cylindrical Concrete Specimens
C78	T97	Tex-448-A	Test Method for Flexural Strength of Concrete (Using Simple Beam with Third-Point Loading)
C138	T121	Tex-417-A	Test Method for Unit Weight, Yield, and Air Content (Gravimetric) of Concrete
C143	T119	Tex-415-A	Test Method for Slump of Hydraulic Cement Concrete
C172	T141	Tex-407-A	Practice for Sampling Freshly Mixed Concrete
C231	T152	Tex-416-A	Test Method for Air Content of Freshly Mixed Concrete by the Pressure Method
C617	T231	Tex-450-A	Practice for Capping Cylindrical Concrete Specimens
C1064		Tex-422-A	Test Method for Temperature of Freshly Mixed Portland Cement Concrete

**Table 3. AGGREGATE TESTS AND PROCEDURES**

ASTM	AASHTO	TxDOT	TITLE
C40	T21	Tex-408-A	Test Method for Organic Impurities in Fine Aggregates for Concrete
C88	T104	Tex-411-A	Test Method for Soundness of Aggregates by Use of Sodium Sulfate or Magnesium Sulfate
C117	T11	Tex-406-A	Test Method for Materials Finer than 75- $\mu$ m (No. 200) Sieve in Mineral Aggregates by Washing
C127	T85	Tex-403-A	Test Method for Density, Relative Density (Specific Gravity), and Absorption of Coarse Aggregate
C128	T84	Tex-403-A	Test Method for Density, Relative Density (Specific Gravity), and Absorption of Fine Aggregate
C131	T96	Tex-410-A	Test Method for Resistance to Degradation of Small-Size Coarse Aggregate by Abrasion and Impact in the Los Angeles Machine
C136	T27	Tex-401-A	Test Method for Sieve Analysis of Fine and Coarse Aggregates
C142	T112	Tex-413-A	Test Method for Clay Lumps and Friable Particles in Aggregates
C566	T255		Test Method for Total Evaporable Moisture Content of Aggregate by Drying
C702	T248		Practice for Reducing Samples of Aggregate to Testing Size
D75	T2	Tex-400-A	Practice for Sampling Aggregates
D2419	T176	Tex-203-F	Test Method for Sand Equivalent Value of Soils and Fine Aggregate

**Table 4. ASPHALTIC MATERIAL TESTS AND PROCEDURES**

ASTM	AASHTO	TxDOT	TITLE
D4318	T90	Tex-106-E	*Method of Calculating the Plasticity Index of Soils
		Tex-107-E	*Determination of Bar Linear Shrinkage of Soils
		Tex-200-F	*Sieve Analysis of Fine and Coarse Aggregates
D5	T49		Test Method for Penetration of Bituminous Materials
D36	T53		Test Method for Softening Point of Bitumen (Ring-and-Ball Apparatus)
D113	T51		Test Method for Ductility of Bituminous Materials
D140	T40	Tex-222-F	Practice for Sampling Bituminous Materials
D244	T59		Test Methods for Emulsified Asphalts
D402	T78		Test Method for Distillation of Cut-Back Asphaltic (Bituminous) Products
D1754	T179		Test Method for Effect of Heat and Air on Asphaltic Materials (Thin-Film Oven Test)
D1856	T170	Tex-211-F	Test Method for Recovery of Asphalt From Solution by Abson Method
D2170	T201		Test Method for Kinematic Viscosity of Asphalts (Bitumens)
D2171	T202		Test Method for Viscosity of Asphalts by Vacuum Capillary Viscometer
D3142	T227		Test Method for Density of Liquid asphalts (Hydrometer Method)

\* Title from TxDOT Manual; all other titles are from ASTM Standards

**Table 5. HOT MIX ASPHALT TESTS AND PROCEDURES**

<b>ASTM</b>	<b>AASHTO</b>	<b>TxDOT</b>	<b>TITLE</b>
D979	T168	Tex-222-F	Practice for Sampling Bituminous Paving Mixtures
D1560	T246	Tex-208-F	Test Methods for Resistance to Deformation and Cohesion of Bituminous Mixtures by Means of Hveem Apparatus
D2041	T209	Tex-227-F	Test Method for Theoretical Maximum Specific Gravity and Density of Bituminous Paving Mixtures
D2172	T164	Tex-210-F	Test Methods for Quantitative Extraction of Bitumen From Bituminous Paving Mixtures
D2726	T166	Tex-207-F	Test Method for Bulk Specific Gravity and Density of Compacted Bituminous Mixtures Using Saturated Surface-Dry Specimens
D3203	T269		Test Method for Percent Air Voids in Compacted Dense and Open Bituminous Paving Mixtures
D5444			Test Method for Mechanical Size Analysis of Extracted Aggregate

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### Technician Certification

The City requires that technicians performing the services below be certified as indicated below:

- Soil and Rock – Technicians performing *soil and rock testing* must be certified as a National Institute for Certification in Engineering Technologies (NICET) Level II Associate Engineering Technician or higher in soils technology.
- Concrete – Technicians performing *concrete testing* must be certified as an American Concrete Institute (ACI) Concrete Field Testing Technician Grade I and/or NICET Level II Associate Engineering Technician in Concrete.
- Hot Mix Asphalt Concrete (HMAC) – Technicians performing *HMAC testing* must be certified as a Texas Hot Mix Asphalt Pavement Association Level 1A, HMA Plant Operations Specialist, or higher.
- Flexible Base Stockpiles – Technicians sampling, inspecting, and testing *flexible base stockpiles* must be under the supervision of a certified NICET-Level III Engineering Technician or higher in soils technology.
- Structural Steel – Technicians inspecting and testing *structural steel* must be certified American Welding Society (AWS) Welding Inspectors and/or a certified American Society for Nondestructive Testing (ASNT) NDT Level II, or higher.
- Corrosion Coating – Technicians inspecting and testing *corrosion coating* must be certified National Association of Corrosion Engineers (NACE) Corrosion Inspector or must have documented comparable, demonstrated qualifications and experience.
- Geotechnical Engineering – Technicians performing *geotechnical engineering* must be certified as a NICET Level II Associate Engineering Technician or higher in soils technology.

### Professional Staff

The City requires that engineers performing services will meet the following requirements:

- Services under Category 1 (Construction Materials Testing) will be performed under the direction of a registered Professional Engineer, licensed in the State of Texas, who is permanently assigned to the Austin area office and has a minimum of five (5) years of experience in construction materials testing similar in type and scope of services described herein.
- Services under Category 2 (Geotechnical Engineering) will be performed under the direction of a registered Professional Engineer, licensed in the State of Texas, who is permanently assigned to the Austin area office and has a minimum of five (5) years of experience in conducting geotechnical investigations in the Austin area or in an area with similar geologic materials and conditions.
- Services under Category 3 (Forensic Engineering) will be performed under the direction of a registered Professional Engineer, who has a minimum of five (5) years of experience in the type of forensic studies required by the City.

Support Staff and Equipment

The City requires that firms providing “call-out” testing services under Category 1 (Construction Materials Testing) will:

- Provide full-time dispatching capabilities so that City inspectors can schedule testing with the dispatcher during normal business hours with a single telephone call. (The City will not assign work to laboratories that rely, even infrequently, on voice-mail messages for receiving incoming calls to schedule testing.)
- Provide two-way radio or cellular telephone communications capabilities for each technician for dispatching purposes and for communications with City inspectors.
- Employ a full-time, permanent laboratory manager who is responsible for oversight of laboratory operations and who can be contacted during normal business hours by the City inspector for updates on laboratory tests results and schedules.

The City requires that firms providing services under Category 2 (Geotechnical Engineering) will:

- Provide subsurface investigations under the direction of a driller with a minimum of 5 years’ experience in sampling soils and rock in the Austin area or in an area with similar geologic materials and conditions.
- Provide drill rigs capable of sampling soils intermittently using a split spoon and continuously using thin-walled tubes in soil and double tube core barrels in rock, with wire line capability.
- Locate the borings relative to the Texas State Plane Coordinate System, Central Zone, NAD 83/93 datum.
- Establish top of borehole elevations with, at a minimum, a GPS device (Trimble ProXRS or equivalent) capable of providing a vertical positional accuracy of less than 1 meter, relative to the NAVD 88 datum.
- Backfill boreholes with bentonite/cement mixture and repair pavement structure as needed.
- When directed by the Engineer, convert boreholes to groundwater observation wells.

**PROPOSED PROJECT SCHEDULE:**

The anticipated total completion time for this agreement is approximately two years from the date of City Council resolution authorizing negotiation and execution of the Professional Services Agreements. Project-specific schedules, if applicable, will be developed mutually by the City and the consultant’s project manager/engineer.

**PROPOSED PROCUREMENT SCHEDULE**

Submittal Due Date:	August 3, 2016
Council (Anticipated):	November 3, 2016
Contracts Executed:	January 2017

**COST ESTIMATE AND DISTRIBUTION OF WORK:**

The total funding authority for this project is \$10,000,000 to be distributed among the qualified firms.

The City anticipates selecting all qualified local firms to perform the proposed services. The City anticipates that each firm will be given assignments within the category that they are selected and will cumulatively equal a common base dollar amount. The City anticipates the following assignment of funds for the three (3) categories:

Category 1: Construction Materials Testing	\$ 7,500,000
Category 2: Geotechnical Engineering	\$ 1,600,000
Category 3: Forensic Engineering	<u>\$ 900,000</u>
TOTAL:	\$10,000,000

When any of the selected firms ceases to practice in Austin during the contract period, or when the City elects to terminate its agreement with any of the selected firms, the remaining work will be distributed to the remaining firms.

**MAJOR AND OTHER SCOPES OF WORK:**

Below is a list of the major scopes of work that the City has identified for this project. ***\*There must be representation for all major scopes of work listed in the prime’s statement of qualifications. The experience of the firms listed to perform the Major Scopes of Work, whether a subconsultant or prime firm, will be evaluated under Consideration Item 6 – Major Scopes of Work – Comparable Project Experience.***

In addition, the City has identified Other Scopes of work that MAY materialize during the course of the project. The City does not guarantee that the scopes listed under Other Scopes of work will materialize on this contract. If the prime consultant intends to enter into a subconsulting agreement on a scope of work not listed below, the prime consultant is required to contact SMBR and request an updated availability list of certified firms in each of the scopes of work for which the prime consultant intends to utilize a subconsultant.

Major Scopes of Work\*

- Construction Material Testing
- Geotechnical Engineering
- Forensic Engineering

Other Scopes of Work

None

Notes

- Participation at the prime or subconsultant level may create a conflict of interest and thus necessitate exclusion from any contracts resulting from the work performed in the design phase.
- If the City determines that a conflict of interest exists at the prime or subconsultant level, the City reserves the right to replace/remove the prime or instruct the prime consultant to remove the subconsultant with the conflict of interest and to instruct the prime consultant to seek a post-award change to the prime consultant's compliance plan as described in City Code § 2-9B-23. Such substitutions will be dealt with on a case-by-case basis and will be considered for approval by Small and Minority Business Resources (SMBR) in the usual course of business. The City's decision to remove a prime or subconsultant because of a conflict of interest shall be final.
- Construction Inspection and Public Information and Communications are **NOT** a subconsultant opportunity on this rotation list. These services will be performed in-house or under a separate contract, if needed, and will be determined when project assignment is made.
- For Subproject assignments that include construction activities performed by the CONSULTANT or Subconsultants, workers shall be paid not less than the prevailing wage rates, as referenced in Section 0830.  
([http://www.austintexas.gov/sites/default/files/files/00830\\_05-03-16 .pdf](http://www.austintexas.gov/sites/default/files/files/00830_05-03-16.pdf))
- A consultant performance evaluation will be performed on all professional services contracts. This evaluation will be conducted at the end of each assignment completion for those projects.





## EVALUATION CRITERIA ROTATION LIST SOLICITATIONS

Solicitation Number: CLMP200

Project Name: 2017 Construction Materials, Geotechnical, and Forensic  
Engineering Services Rotation List

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The following is a description of items to receive consideration in the evaluation of responses for providing professional engineering/architectural/planning services to the City of Austin. Following each description are the evaluation points associated with the item. TOTAL POSSIBLE POINTS EQUALS 100. Wherever used, "prime firm" denotes a single firm or a joint venture responding as the prime consultant. Wherever used, "page" refers to single-sided, single spaced, 10-point minimum font printed 8-1/2 x 11-inch pages. The prime firm shall perform the largest share of the assignment (on an estimated percentage of total agreement basis). Responses failing to show the prime firm performing the plurality of the services shall be rejected as non-responsive.

**Limitations on volume of requested information apply equally to single firms and joint ventures regardless of the number of firms partnering in the joint venture. Responses with excess volume or which do not include information for the evaluation of all consideration items may not be thoroughly reviewed or may be rejected as non-responsive.**

All prime firms and subconsultants must be registered to do business with the Owner prior to contract award. Prime firms are responsible for ensuring that their subconsultants are registered as vendors with the City of Austin. You may register through the Owner's on-line Vendor Registration system. Log on to the link below and follow the directions: [https://www.ci.austin.tx.us/financeonline/vendor\\_connection/index.cfm](https://www.ci.austin.tx.us/financeonline/vendor_connection/index.cfm)

### NOTES:

- ❖ Firms and individuals, who are proposed as staff on this RFQ, must adhere to the requirements of Subchapter A of the Texas Professional Engineering Practice Act regarding the use of the term "engineer". The full text of the Texas Professional Engineering Act may be found at: <http://www.engineers.texas.gov>.
- ❖ Firms and individuals who are proposed as staff on this RFQ, must adhere to the requirements of Subchapter A of the Texas Architecture Practice Act regarding the use of the term "Architect". The full text of the Texas Architecture Practice Act may be found at: <http://www.statutes.legis.state.tx.us/Docs/OC/word/OC.1051.doc>

### DEFINITIONS:

The following definitions are meant to assist the prime firm in determining the appropriate key team members for this project. These definitions are not exhaustive and are meant only as a guide.

1. "Completed Project" - The City will consider a project complete when:
  - a) The specified discipline for which you are working has been completed; or,
  - b) All phases or scopes of work have been completed.
2. "Project Manager": The COA defines a project manager as an individual in the prime firm who:
  - ◆ Sets deadlines, assigns responsibilities and monitors and summarizes progress of project.
  - ◆ Has the responsibility of the planning, execution and closing of a project.
  - ◆ Responsible for accomplishing the stated project objectives and deliverables.
  - ◆ Leads project meetings to collect and disseminate information pertaining to the project.
  - ◆ Coordinates the collection and dissemination of information between/within the company and COA.
  - ◆ Manages all aspects of the project, including subconsultants.
3. "Project Principal": The COA defines a project principal as an individual in the prime firm who:
  - ◆ Has executive oversight of projects.
  - ◆ Has the authority to remove the PM and/or Project Professional (PE or PA) assigned to this project.

## EVALUATION CRITERIA – ROTATION LIST

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- ♦ Has the authority to secure additional resources to the project.

4. "Project Professional": The COA defines a project professional as an individual in the prime firm who:

- ♦ Serves as lead Engineer, Architect, Landscape Architect, Planner or other professional on the proposed team who designs and develops project specifications.
- ♦ Creates, reviews, and provides resolution of technical specifications.
- ♦ Directs other professional activities.
- ♦ Is responsible for the preparation of probable construction cost estimates.
- ♦ Has all required licenses, certifications, or registrations from the State of Texas at the time of submittal.

### **CONSIDERATION ITEM 1**

#### **MBE/WBE PROCUREMENT PROGRAM**

Were Goals achieved or did response indicate that a Good Faith Effort was made to achieve the Goals?

- No** - Response **will not** be evaluated.
- Yes** - Evaluation of the response will continue.

Respondent must attach the following for Consideration Item 1:

- **NO GOALS FORM**
- **No Goals Utilization Plan**

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### **CONSIDERATION ITEM 2**

#### **TURNED IN ALL REQUIRED DOCUMENTS**

Did respondent turn in the requested documents as required by this Consideration Item 2 and the forms and submittal requirements for all other consideration items?

- No** - Response **will not** be evaluated.
- Yes** - Evaluation of the response will continue.

Respondent must attach the following for Consideration Item 2:

- **Form 1 - Prime Firm General Information**
- **Form 2 - Affidavit of Authentication**
- **Form 3A - Prime Firm's EEO Program**
- **Form 3B – Title VI Assurances**
- **Form 4 - Affidavit of Non-Collusion, Non-Conflict of Interest, and Anti-Lobbying**
- **Form 5 - Affidavit of Availability**
- **Form 6 - Affidavit of Contract Execution**

Respondent should attach the below forms that are applicable to Categories in which they are qualified and wish to be considered:

## EVALUATION CRITERIA – ROTATION LIST

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- Form A - Category 1: Construction Materials Testing – Testing, Procedures, and Laboratory Accreditation Checklist (Only if responding to this category)
- Form B - Category 2: Geotechnical Engineering – Testing, Procedures, and Laboratory Accreditation Checklist (Only if responding to this category)
- Form C - Technician Certification
- Form D - Category 3: Forensic Engineering – Testing, Procedures, and Laboratory Accreditation Checklist (Only if responding to this category)

**NOTE:** Other forms and submittal documents required in the remaining consideration items should be attached to that respective consideration item.

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### **CONSIDERATION ITEM 3**

#### **TEAM'S STRUCTURE**

City is interested in team's organizational structure. Identify project leadership, reporting responsibilities, how prime firm will interface with City's project manager, and how subconsultants will work within the team structure. Describe the roles of the key individuals proposed to work on this project.

Respondent must attach the following for Consideration Item 3:

- Provide an organizational chart and brief narrative. The total number of pages should not exceed three (3) pages. Indicate activities, responsibilities, and key personnel on the organizational chart. Response should align with team's proposed No Goals Form or No Goals Utilization Plan provided in Consideration Item 1 above.
- 

### **CONSIDERATION ITEM 4**

#### **EXPERIENCE OF PROJECT MANAGER, PROJECT PROFESSIONAL, AND PROJECT PRINCIPAL (past 5 Years)**

Did respondent turn in the requested documents as required by this Consideration Item 4 and demonstrate that the minimum qualifications per category are met?

- No** - Response **will not** be evaluated.
- Yes** - Evaluation of the response will continue.

City is interested in the experience of the Project Manager, Project Professional, and Project Principal that demonstrates history and success with projects of similar programs, budgets, and/or clients as the project described in this solicitation. Points will be awarded as indicated above. Only one individual per job responsibility, per category, should be designated. The prime

## EVALUATION CRITERIA – ROTATION LIST

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consultant must employ the Project Manager, Project Professional, and Project Principal. The Project Manager, Project Professional, and Project Principal may be the same individual.

**For Categories 1 and 2:** the Project Manager AND Project Professional must be assigned to an office located within the Austin Metropolitan Statistical Area; and the Project Manager OR Project Professional must be licensed as a professional engineer in the State of Texas at the time of submittal.

**For Category 3:** the Project Manager must be assigned to an office located within the Austin Metropolitan Statistical Area and serve as the local, primary contact for proposals and resolving quality of service issues and issues related to the firm's contractual relationship with the City. Additionally, the category 3 Project Manager must be licensed as a professional engineer in the State of Texas at the time of submittal. With approval from the City Rotation List Manager, it may be acceptable for the firm to assign a Project Professional for category 3 from another of the firm's offices in the United States.

Respondent must attach the following for Consideration Item 4:

List three (3) projects **per Category 1, 2, or 3** meeting these criteria which have been completed in the past five (5) years for each individual.

- **Complete Form 7 - Experience of Project Manager. Please provide no more than one (1) page per project.**
- **Complete Form 8 - Experience of Project Professional. Please provide no more than one (1) page per project.**
- **Complete Form 9 - Experience of Project Principal. Please provide no more than one (1) page per project.**
- **Attach a resume of no more than two (2) pages for each individual.**

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### **CONSIDERATION ITEM 5**

#### **PRIME FIRM'S COMPARABLE PROJECT EXPERIENCE (past 3 years)**

Did respondent turn in the requested documents as required by this Consideration Item 5 and demonstrate that the minimum qualifications per category are met?

- No** - Response **will not** be evaluated.
- Yes** - Evaluation of the response will continue.

City is interested in the prime firm's history and success with projects of similar programs, budgets, and/or clients as the project described in this solicitation. List three (3) projects, per

## EVALUATION CRITERIA – ROTATION LIST

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category, meeting these criteria which have been completed in the past three years. In addition, City may consider history of firm in complying with project programs, schedules, and budgets on previous City projects.

Respondent must attach the following for Consideration Item 5:

- **Provide a narrative not to exceed one (1) page.**
- **Complete Form 10 and provide no more than one (1) page per project.**



# CITY OF AUSTIN



## **“NO GOALS” UTILIZATION FORM MBE/WBE PROCUREMENT PROGRAM**

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**Project Name: 2017 Construction Materials, Geotechnical, and Forensic  
Engineering Services Rotation List**

**Solicitation Number: CLMP200**

**Date: July 1, 2016**

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*(Revised March 2009)*

**MINORITY- AND WOMEN-OWNED BUSINESS ENTERPRISE (MBE/WBE)  
PROCUREMENT PROGRAM  
NO GOALS FORM**

**The City of Austin has determined that no goals are appropriate for this project.** Even though no goals have been established for this solicitation, the Bidder/Proposer is required to comply with the City's MBE/WBE Procurement Program, if areas of subcontracting are identified.

If any service is needed to perform the Contract and the Bidder/Proposer does not perform the service with its own workforce or if supplies or materials are required and the Bidder/Proposer does not have the supplies or materials in its inventory, the Bidder/Proposer shall contact the Small and Minority Business Resources Department (SMBR) at (512) 974-7600 to obtain a list of MBE and WBE firms available to perform the service or provide the supplies or materials. The Bidder/Proposer must also make a Good Faith Effort to use available MBE and WBE firms. Good Faith Efforts include but are not limited to contacting the listed MBE and WBE firms to solicit their interest in performing on the Contract; using MBE and WBE firms that have shown an interest, meet qualifications, and are competitive in the market; and documenting the results of the contacts.

**Will subcontractors or sub-consultants or suppliers be used to perform portions of this Contract?**

No \_\_\_\_\_ If no, please sign the No Goals Form and submit it with your Bid/Proposal in a sealed envelope.

Yes \_\_\_\_\_ If yes, please contact SMBR to obtain further instructions and an availability list and perform Good Faith Efforts. Complete and submit the No Goals Form and the No Goals Utilization Plan with your Bid/Proposal in a sealed envelope.

After Contract award, if your firm subcontracts any portion of the Contract, it is a requirement to complete Good Faith Efforts and the No Goals Utilization Plan, listing any subcontractor, subconsultant, or supplier. Return the completed Plan to the Project Manager or the Contract Manager.

I understand that even though no goals have been established, I must comply with the City's MBE/WBE Procurement Program if subcontracting areas are identified. I agree that this No Goals Form and No Goals Utilization Plan shall become a part of my Contract with the City of Austin.

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Name and Title of Authorized Representative (Print or Type)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**MINORITY- AND WOMEN-OWNED BUSINESS ENTERPRISE (MBE/WBE)  
PROCUREMENT PROGRAM  
NO GOALS UTILIZATION PLAN**

*(Please duplicate as needed)*

SOLICITATION NUMBER: CLMP200
PROJECT NAME: 2017 Construction Materials, Geotechnical, and Forensic Engineering Services Rotation List

**PRIME CONTRACTOR/CONSULTANT COMPANY INFORMATION**

Name of Contractor/Consultant	
Address	
City, State Zip	
Phone	Fax Number
Name of Contact Person	
Is company City certified? Yes <input type="checkbox"/> No <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> MBE/WBE Joint Venture <input type="checkbox"/>	

I certify that the information included in this No Goals Utilization Plan is true and complete to the best of my knowledge and belief. I further understand and agree that the information in this document shall become part of my Contract with the City of Austin.

\_\_\_\_\_  
**Name and Title of Authorized Representative (Print or Type)**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

Provide a list of all proposed subcontractors/subconsultants/suppliers that will be used in the performance of this Contract. **Attach Good Faith Efforts documentation if non MBE/WBE firms will be used.**

<b>Sub-Contractor/Consultant</b>	
City of Austin Certified	MBE <input type="checkbox"/> WBE <input type="checkbox"/> Ethnic/Gender Code: <input type="checkbox"/> NON-CERTIFIED
Vendor ID Code	
Contact Person	Phone Number:
Amount of Subcontract	\$
List commodity codes & description of services	

<b>Sub-Contractor/Consultant</b>	
City of Austin Certified	MBE <input type="checkbox"/> WBE <input type="checkbox"/> Ethnic/Gender Code: <input type="checkbox"/> NON-CERTIFIED
Vendor ID Code	
Contact Person	Phone Number:
Amount of Subcontract	\$
List commodity codes & description of services	

**FOR SMALL AND MINORITY BUSINESS RESOURCES DEPARTMENT USE ONLY:**

Having reviewed this plan, I acknowledge that the proposer (HAS) or (HAS NOT) complied with City Code Chapter 2-9A/B/C/D, as amended.

Reviewing Counselor \_\_\_\_\_ Date \_\_\_\_\_ Director/Deputy Director \_\_\_\_\_ Date \_\_\_\_\_





**FORM 1**  
**Prime Firm General Information**

Solicitation Number: CLMP200

Project Name: 2017 Construction Mat, Geotechnical, and Forensic Eng  
Svs RL

Firm Legal Name: <b>(MUST MATCH VENDOR REGISTRATION AND BE THE EXACT LEGAL NAME)</b>	
Firm Address:	
Headquarter Address if parent company address is different than firm address listed:	
Telephone number:	
Federal Tax ID Number:	
Contact Person (Person City should contact for questions with submittal):	
COA Vendor Registration Number:	
Address of contact person:	
Phone number of contract person:	
E-mail Address of contact person:	
Year of <b>Firm's</b> Registration with the <b>State of Texas</b>	
Firm's Engineering/Architectural Registration Number:	
<i>If submitting as a joint venture, the following information is required for each joint venture firm.</i>	

Firm 1 <b>Legal</b> Name	
Participating Firms Percentage of Control:	
Number of Years in Business:	
Organization Type:	
Date of Organization (MM/YYYY):	
Date of Predecessor Organization:	

Add Additional Joint Venture Firm

**Office Personnel**

**List of Principals and Titles:**

Name of Principal	
Title	

Personnel Other Than Principals	
Total number of employees in firm	
Number of registered Environmental Engineers	
Number of Registered Civil Engineers	
Number of other Registered Engineers	
Number of other Professionals	
Number of Support Personnel	

<b>Insurance Information</b>		
Worker's Compensation and Employers' Liability Insurance		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	If "yes, please state limits.
Commercial General Liability Insurance		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	If "yes", please state limits.
Business Automobile Liability Insurance		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	If "yes", please state limits.
Professional Liability Insurance		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	If "yes", please state limits.

**SUBCONSULTANT INFORMATION**

Complete the MBE/WBE Compliance Plan in the MBE/WBE Procurement Program package. All subconsultant recommendations will be subject to approval by the City. If for any reason an MBE or WBE subconsultant must be replaced, the prime consultant firm will be required to make good faith efforts to replace with another MBE or WBE.

Attach a letter from each subconsultant on the proposed team, confirming that they have been contacted and are prepared to provide services for the project.

The undersigned acknowledges receipt of the following addenda:

Addendum No.	Date	Received By	
			Add another addendum

**OTHER CONSIDERATIONS**

Describe the quantity and nature of any work, interest in work, partnership interest, land ownership or other interest in any project, property or business dealing within the proposed project area or past or current business relationship which may give rise to a potential conflict of interest for your firm or associated firms in the execution of this project.

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**FORM 2**  
**AFFIDAVIT OF AUTHENTICATION**

Solicitation Number: CLMP200

Project Name: 2017 Construction Mat, Geotechnical, and Forensic Eng Svs RL

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Entities submitting qualification statements shall provide authentication that the electronic version (CD or flash drive) of the Statement of Qualifications is an exact duplicate of the 'Original' hard copy submittal. The City of Austin is not responsible for discrepancies between the submitting firm's electronic version and 'Original' hard copy submittal. The City of Austin reserves the right to use the electronic version as an 'Original'.

I hereby certify that the electronic version of the Statement of Qualifications submitted is an exact duplicate of the 'Original' hard copy. I understand if there are discrepancies between the hard copy 'Original' and the electronic version, we may be deemed non-responsive.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Firm/Entity: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_

**END**





## FORM 3A - PRIME FIRM'S EEO PROGRAM

Solicitation Number: CLMP200

Project Name: 2017 Construction Mat, Geotechnical, and Forensic Eng Svcs RL

City of Austin, Texas

### NON-DISCRIMINATION AND NON-RETALIATION CERTIFICATION

To: City of Austin, Texas, ("OWNER")

I hereby certify that our firm conforms to the Code of the City of Austin, Section 5-4-2, and the City's Non-Retaliation Policy as reiterated below:

A. **Chapter 5-4. Discrimination in Employment by City Contractors, Section 4-2:** As an Equal Employment Opportunity (EEO) employer, the Contractor will conduct its personnel activities in accordance with established federal, state and local EEO laws and regulations and agrees:

- (1) Not to engage in any discriminatory employment practice defined in this chapter.
- (2) To take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without discrimination being practiced against them as defined in this chapter. Such affirmative action shall include, but not be limited to: all aspects of employment, including hiring, placement, upgrading, transfer, demotion, recruitment, recruitment advertising; selection for training and apprenticeship, rates of pay or other form of compensation, and layoff or termination.
- (3) To post in conspicuous places, available to employees and applicants for employment, notices to be provided by OWNER setting forth the provisions of this chapter.
- (4) To state in all solicitations or advertisements for employees placed by or on behalf of the Contractor, that all qualified applicants will receive consideration for employment without regard to race, creed, color, religion, national origin, sexual orientation, gender identity, disability, veteran status, sex or age.
- (5) To obtain a written statement from any labor union or labor organization furnishing labor or service to Contractors in which said union or organization has agreed not to engage in any discriminatory or retaliation employment practices as defined in this chapter and to take affirmative action to implement policies and provisions of this chapter.
- (6) To cooperate fully with OWNER's Human Rights Commission in connection with any investigation or conciliation effort of said Human Rights Commission to ensure that the purpose of the provisions against discriminatory employment practices are being carried out.
- (7) To require compliance with provisions of this chapter by all subcontractors having fifteen or more employees who hold any subcontract providing for the expenditure of \$2,000 or more in connection with any contract with OWNER subject to the terms of this chapter.

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**B. Minimum Standard Non-Discrimination and Non-Retaliation in Employment Policy:**

For the purposes of this Offer and any resulting Contract, Contractor adopts the provisions of the City's Minimum Standard Non-Discrimination and Non-Retaliation Policy set forth below.

- (1) *As an Equal Employment Opportunity (EEO) employer, the Contractor will conduct its personnel activities in accordance with established federal, state and local EEO laws and regulations.*
- (2) *The Contractor will not discriminate against any applicant or employee based on race, creed, color, national origin, sex, age, religion, veteran status, gender identity, disability, or sexual orientation. This policy covers all aspects of employment, including hiring, placement, upgrading, transfer, demotion, recruitment, recruitment advertising, selection for training and apprenticeship, rates of pay or other forms of compensation, and layoff or termination.*
- (3) *The Contractor agrees to prohibit retaliation, discharge or otherwise discrimination against any employee or applicant for employment who has inquired about, discussed or disclosed their compensation.*

*Further, employees who experience discrimination, retaliation, sexual harassment, or another form of harassment should immediately report it to their supervisor. If this is not a suitable avenue for addressing their complaint, employees are advised to contact another member of management or their human resources representative. No employee shall be discriminated against, harassed, intimidated, nor suffer any reprisal as a result of reporting a violation of this policy. Furthermore, any employee, supervisor, or manager who becomes aware of any such discrimination or harassment should immediately report it to executive management or the human resources office to ensure that such conduct does not continue.*

Contractor agrees that to the extent of any inconsistency, omission, or conflict with its current non-discrimination and non-retaliation employment policy, the Contractor has expressly adopted the provisions of the City's Minimum Non-Discrimination Policy contained in Section 5-4-2 of the City Code and set forth above, as the Contractor's Non-Discrimination Policy or as an amendment to such Policy and such provisions are intended to not only supplement the Contractor's policy, but will also supersede the Contractor's policy to the extent of any conflict.

UPON CONTRACT AWARD, THE CONTRACTOR SHALL PROVIDE A COPY TO THE CITY OF THE CONTRACTOR'S NON-DISCRIMINATION AND NON-RETALIATION POLICIES ON COMPANY LETTERHEAD, WHICH CONFORMS IN FORM, SCOPE, AND CONTENT TO THE CITY'S MINIMUM NON-DISCRIMINATION AND NON-RETALIATION POLICIES, AS SET FORTH HEREIN, **OR** THIS NON-DISCRIMINATION AND NON-RETALIATION POLICY, WHICH HAS BEEN ADOPTED BY THE CONTRACTOR FOR ALL PURPOSES (THE FORM OF WHICH HAS BEEN APPROVED BY THE CITY'S EQUAL EMPLOYMENT/FAIR HOUSING OFFICE), WILL BE CONSIDERED THE CONTRACTOR'S NON-DISCRIMINATION AND NON-RETALIATION POLICY WITHOUT THE REQUIREMENT OF A SEPARATE SUBMITTAL.

**C. Sanctions:**

Our firm understands that non-compliance with Chapter 5-4 and the City's Non-Retaliation Policy may result in sanctions, including termination of the contract and suspension or debarment from participation in future City contracts until deemed compliant with the requirements of Chapter 5-4 and the Non-Retaliation Policy.

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**D. Term:**

The Contractor agrees that this Non-Discrimination and Non-Retaliation Certificate of the Contractor's separate conforming policy, which the Contractor has executed and filed with the Owner, will remain in force and effect for one year from the date of filing. The Contractor further agrees that, in consideration of the receipt of continued Contract payment, the Contractor's Non-Discrimination and Non-Retaliation Policy will automatically renew from year-to-year for the term of the underlying Contract.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

CONTRACTOR \_\_\_\_\_  
Authorized \_\_\_\_\_  
Signature \_\_\_\_\_  
  
Title \_\_\_\_\_

**END**





## FORM 3B - APPENDIX A OF TITLE VI ASSURANCES

Solicitation Number : CLMP200

Project Name : 2017 Construction Mat, Geotechnical, and Forensic Eng Svs RL

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During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor" agrees as follows:

1. Compliance with Regulations: The contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contract for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. Information and Reports: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its book, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Texas Department of Transportation to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the Recipient, or the Texas Department of Transportation as appropriate, and shall set forth what efforts it has made to obtain the information.
5. Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Recipient shall impose such contract sanctions as it or the Texas Department of Transportation may determine to be appropriate, including, but not limited to:
  - (a) withholding of payments to the contractor under the contract until the contractor complies, and or
  - (b) cancellation, termination or suspension of the contract, in whole or in part.

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6. Incorporation of Provisions: The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Recipient or the Texas Department of Transportation may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Recipient to enter into such litigation to protect the interests of the Recipient, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States. (DOT 1050.2, 08/24/71)

Signature:

Printed Name:

Title:

Company:

Date:

END



## FORM 4

# AFFIDAVIT OF NON-COLLUSION, NON-CONFLICT OF INTEREST AND ANTI-LOBBYING

Solicitation Number: CLMP200

Project Name: 2017 Construction Mat, Geotechnical, and Forensic Eng Svs RL

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State of Texas

County of Travis

The undersigned "Affiant" is a duly authorized representative of the Responder for the purpose of making this Affidavit, and, after being first duly sworn, has deposed and stated and hereby deposes and states, to the best of his or her personal knowledge and belief as follows:

The term "**Respondent**", as used herein, includes the individual or business entity submitting the response and for the purpose of this Affidavit includes the directors, officers, partners, managers, members, principals, owners, agents, representatives, employees, other parties in interest of the Respondent, and anyone or any entity acting for or on behalf of the Respondent, including a subconsultant in connection with this response.

The terms "**City**" and "**Owner**" are synonymous.

1. **Anti-Collusion Statement.** The Respondent has not and will not in any way directly or indirectly:
  - a. colluded, conspired, or agreed with any other person, firm, corporation, respondent or potential respondent to the amount of this response or the terms or conditions of this response.
  - b. paid or agreed to pay any other person, firm, corporation, respondent or potential respondent any money or anything of value in return for assistance in procuring or attempting to procure a contract or in return for establishing the prices in the attached response or the response of any other respondent.
2. **Preparation of Invitation for Response and Contract Documents .** The Respondent has not received any compensation or a promise of compensation for participating in the preparation or development of the underlying response or contract documents. In addition, the Respondent has not otherwise participated in the preparation or development of the underlying response or contract documents, except to the extent of any comments or questions and responses in the solicitation process, which are available to all respondents, so as to have an unfair advantage over other respondents, provided that the Respondent may have provided relevant product or process information to a consultant in the normal course of its business.
3. **Participation in Decision Making Process.** The Respondent has not participated in the evaluation of responses or proposals or other decision making process for this solicitation, and, if Respondent is awarded a contract hereunder, no individual, agent, representative, consultant or sub contractor or consultant associated with Respondent, who may have been

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involved in the evaluation or other decision making process for this solicitation, will have any direct or indirect financial interest in the Contract, provided that the Respondent may have provided relevant product or process information to a contractor or another consultant in the normal course of its business.

4. **Present Knowledge.** Respondent is not presently aware of any potential or actual conflicts of interest regarding this solicitation, which either enabled Respondent to obtain an advantage over other Respondents or would prevent Respondent from advancing the best interests of OWNER in the course of the performance of the Contract.
5. **City Code.** As provided in Sections 2-7-61 through 2-7-65 of the City Code, no individual with a substantial interest in Respondent is a City official or employee or is related to any City official or employee within the first or second degree of consanguinity or affinity.
6. **Chapter 176 Conflict of Interest Disclosure.** In accordance with Chapter 176 of the Texas Local Government Code, the Respondent:
  - a. does not have an employment or other business relationship with any local government officer of OWNER or a family member of that officer that results in the officer or family member receiving taxable income;
  - b. has not given a local government officer of OWNER one or more gifts, other than gifts of food lodging transportation or entertainment accepted as a guest, that have an aggregate value of more than \$250 in the twelve month period preceding the date the officer becomes aware of the execution of the Contract or that OWNER is considering doing business with the Respondent.

As required by Chapter 176, Respondent must have filed a Conflicts of Interest Questionnaire with the Purchasing Department no later than the seventh business day after the commencement of contract discussions or negotiations with the City or the submission of a Response, response to a request for proposals, or other writing related to a potential contract with OWNER. The questionnaire must be updated not later than the seventh day after the date of an event that would make a statement in the questionnaire inaccurate or incomplete. There are statutory penalties for failure to comply with Chapter 176.

7. **Anti-Lobbying Ordinance.** As set forth in Attachment 2 of the solicitation documents, between the date that the Invitation for Response was issued and the date of full execution of the Contract, Respondent has not made and will not make a representation to a member of the City Council, a member of a City Board, or any other official, employee or agent of the City, other than the authorized contact person for the solicitation, except as permitted by the Ordinance

If the Respondent cannot affirmatively swear and subscribe to the forgoing statements, the Respondent shall provide a detailed written explanation in the space provided below or, as necessary, on separate pages to be annexed hereto.

---

Signature \_\_\_\_\_ Date:

Printed Name:

Title:

Firm/Entity:

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_ My Commission Expires \_\_\_\_\_  
Notary Public

RESPONDENT'S EXPLANATION:

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**Include the entire Affidavit, Pages 1 – 3.**

**END**





# FORM 5 AFFIDAVIT OF AVAILABILITY

Solicitation Number: CLMP200

Project Name 2017 Construction Mat, Geotechnical, and Forensic Eng Svs RL

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Entities submitting qualification statements, including prime firms and subconsultants, shall have adequate current staff (including professionals registered in applicable fields, other professionals, and technicians) to competently and efficiently perform the work. The prime firm and subconsultants must commit that staff proposed in this submittal will be available to perform the proposed work within the anticipated project schedule.

In addition, prime firms who list individuals in Consideration Item 4 - Experience of Key Personnel must commit that those individuals are indeed employed by the prime firm and are not contracted employees. Prime firms who use an affiliated firm to hire staff on behalf of the prime firm must inform the City of this fact in its executive summary and explain the affiliated relationship involved between the two firms.

I hereby certify that our staff and the staff of our subconsultants proposed in this submittal are available to perform the proposed work in a competent and efficient manner. In the event an individual proposed in this submittal is not available, I understand that after contract award we will be required to submit a change request with an individual equally or more qualified, which is subject to review and approval by the City. In the event the City does not approve the change request, I understand our firm will no longer be awarded the contract.

I hereby certify that the individuals listed in Consideration Item 4 - Experience of Key Personnel are employed by the prime firm and are not contracted employees.

Signature:

Date:

Printed Name:

Title:

Firm/Entity Name:

Subscribed and sworn to before me  
this

day of

,20

My Commission Expires

Notary Public

**END**





**FORM 6  
AFFIDAVIT OF CONTRACT EXECUTION**

Solicitation Number: CLMP200

Project Name: 2017 Construction Mat, Geotechnical, and Forensic Eng Svs RL

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Entities submitting qualification statements shall be prepared to be responsive to City staff following Council award in providing documents required for contract execution, including but not limited to insurance, corporate resolution, hourly rate information and non-discrimination policy. The prime firm must commit to meeting schedules and deadlines set by City staff in order to execute the contract in a timely manner. We anticipate contract execution on or before Jan 31, 2017

I hereby certify that following Council award, our firm will be responsive to City staff in submitting the required documents by the deadlines set forth by City staff. I understand that if we do not meet this requirement, contract negotiations will cease. I also understand if we do not submit this completed form with our Statement of Qualifications, we may be deemed non-responsive.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Firm/Entity: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_

**END**





**FORM 7  
EXPERIENCE OF PROJECT MANAGER**

Solicitation Number: CLMP200

Project Name: 2017 Construction Mat, Geotechnical, and Forensic Eng Svcs RL

Firm Name:	
*Name of Project Manager:	
Current Years of Experience:	
Registration Number:	
Year of Registration:	

**\*[If licensed, list name as shown on registration with Texas Board of Professional Engineers (TBPE) or Texas Board of Architectural Examiners (TBAE)]**

*(The following information is required for each project. Provide no more than one page per project. Refer to the Evaluation Criteria for the number of projects required and timeframe.)*

Project Name/Location:	
Firm Name Work Performed Under:	
Year Completed:	
Construction Cost:	
Name of Client/Owner's Representative:	
Title of Client/Owner's Representative	
Address of Client/Owner's Representative:	
Phone number of Client/Owner's Representative:	
Project Description:	
Work performed by Individual:	
Add Another Project	





**FORM 8  
EXPERIENCE OF PROJECT PROFESSIONAL**

Solicitation Number: CLMP200

Project Name: 2017 Construction Mat, Geotechnical, and Forensic Eng Svcs RL

Firm Name:	
*Name of Project Architect	
Current Years of Experience:	
Registration Number:	
Year of Registration:	

**\*[List name as shown on registration with Texas Board of Professional Engineers (TBPE) or Texas Board of Architectural Examiners (TBAE)]**

*(The following information is required for each project. Provide no more than one page per project. Refer to the Evaluation Criteria for the number of projects required and timeframe.)*

Project Name/Location:	
Firm Name Work Performed Under:	
Year Completed:	
Construction Cost:	
Name of Client/Owner's Representative:	
Title of Client/Owner's Representative:	
Address of Client/Owner's Representative:	
Phone number of Client/Owner's Representative:	
Project Description:	
Work performed by Individual:	
Add Another Project	





**FORM 9  
EXPERIENCE OF PROJECT PRINCIPAL**

Solicitation Number: CLMP200

Project Name: 2017 Construction Mat, Geotechnical, and Forensic Eng Svcs RL

Firm Name:	
Project Principal	
Current Years of Experience	

*(The following information is required for each project. Provide no more than one page per project. Refer to the Evaluation Criteria for the number of projects required and timeframe.)*

Project Name/Location:	
Firm Name Work Performed Under:	
Year Completed:	
Construction Cost:	
Name of Client/Owner's Representative:	
Title of Client/Owner's Representative:	
Address of Client/Owner's Representative:	
Phone number of Client/Owner's Representative:	
Project Description:	
Work performed by Project Principal:	
Add Another Project	





**FORM 10  
PRIME FIRM'S COMPARABLE PROJECT EXPERIENCE**

Solicitation Number: CLMP200

Project Name: 2017 Construction Mat, Geotechnical, and Forensic Eng Svs RL

Firm Name:

*(The following information is required for each project. Provide no more than one page per project. Refer to the Evaluation Criteria for the number of projects required and timeframe.)*

Project 1	
Project Name/Location:	
Date Completed: Month/Year:	
Client or Owner's Representative	
Construction Cost:	
Project Description:	
Services Provided:	
Add Another Project	



**FORM 11****MAJOR SCOPES OF WORK - COMPARABLE PROJECT EXPERIENCE**

Solicitation Number: CLMP200

Project Name: 2017 Construction Mat, Geotechnical, and Forensic Eng Svcs RL

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Scope of Work:	
Firm Name:	

*(The following information is required for each project. Provide no more than one page per scope of work per firm. Refer to the Evaluation Criteria for the number of projects required and timeframe.)*

Project 1	
Project Name/Location:	
Date Completed: Month/Year:	
Name of Client or Owner's Representative	
Construction Cost:	
Project Description:	
Services Provided:	
<b>Add Another Project</b>	



**FORM A: Category 1 – Construction Materials Testing – Testing, Procedures, and Laboratory Accreditation Checklist**

Circle each testing procedure that the firm is accredited in (Table 1) and check each box in the far right column (Tables 2–7) to indicate the firm’s accreditation.

**Table 1. Laboratory Accreditation**

LABORATORY ACCREDITATION (Circle all that apply)	
ASTM	Specify YES or NO if Laboratory is Accredited
E329	YES / NO
D3740	YES / NO
C1077	YES / NO
D3666	YES / NO
Active TxDOT Precertified (Asphaltic Concrete)	YES / NO

**Table 2. SOIL TESTS and PROCEDURES**

ASTM	AASHTO	TxDOT	TITLE	Check Box if Accredited
D421	T87	Tex-101-E	Practice for Dry Preparation of Soil Samples for Particle-Size Analysis and Determination of Soil Constants	
D422	T88	Tex-110-E	Test Method for Particle-Size Analysis of Soils	
D698	T99	Tex-113-E	*Laboratory Compaction Characteristics and Moisture-Density Relationship of Base Materials and Cohesionless sand	
D698	T99	Tex-114-E	*Laboratory Compaction Characteristics and Moisture-Density Relationship of Subgrade & Embankment Soils	
D1140	T11	Tex-111-E	*Determination of Amount of Material in Soils Finer Than the 75- $\mu$ m (No. 200) Sieve	
D2216	T265	Tex-103-E	*Determination of Moisture Content in Soil Materials	
D1557	T180		Test Method for Laboratory Compaction Characteristics of Soil Using Modified Effort (56,000 lbf/ft <sup>3</sup> (2,700 kN/-m <sup>3</sup> ))	
D2217	T146	Tex-101-E	Practice for Wet Preparation of Soil Samples for Particle-Size Analysis and Determination of Soil Constants	
D2487		Tex-142-E	Classification of Soils for Engineering Purposes (Unified Soil Classification System)	
D2488		Tex-141-E	Practice for Description and Identification of Soils (Visual-Manual Procedure)	

**Table 2. SOIL TESTS and PROCEDURES (continued)**

D2922	T238	Tex-115-E Part II	Test Methods for Density of Soil and Soil-Aggregate in Place by Nuclear Methods (Shallow Depth)	
D3017	T239	Tex-115-E Part II	Test Method for Water Content of Soil and Rock in Place by Nuclear Methods (Shallow Depth)	
D4318	T89	Tex-104-E	*Determination of Liquid Limit of Soils	
D4318	T90	Tex-105-E	*Determination of Plastic Limit of Soils	
D4318	T90	Tex-106-E	*Method of Calculating the Plasticity Index of Soils	
		Tex-121-E	*Soil Lime Compression Test	

\*Title from TxDOT Manual; others titles from ASTM Standards

**Table 3. CONCRETE TESTS and PROCEDURES**

ASTM	AASHTO	TxDOT	TITLE	Check Box if Accredited
C31	T23	Tex-447-A	Practice for Making and Curing Concrete Test Specimens in the Field	
C39	T22	Tex-418-A	Test Method for Compressive Strength of Cylindrical Concrete Specimens	
C78	T97	Tex-448-A	Test Method for Flexural Strength of Concrete (Using Simple Beam with Third-Point Loading)	
C138	T121	Tex-417-A	Test Method for Unit Weight, Yield, and Air Content (Gravimetric) of Concrete	
C143	T119	Tex-415-A	Test Method for Slump of Hydraulic Cement Concrete	
C172	T141	Tex-407-A	Practice for Sampling Freshly Mixed Concrete	
C231	T152	Tex-416-A	Test Method for Air Content of Freshly Mixed Concrete by the Pressure Method	
C617	T231	Tex-450-A	Practice for Capping Cylindrical Concrete Specimens	
C1064		Tex-422-A	Test Method for Temperature of Freshly Mixed Portland Cement Concrete	

**Table 4. ASPHALTIC MATERIAL TESTS and PROCEDURES**

ASTM	AASHTO	TxDOT	TITLE	Check Box if Accredited
D4318	T90	Tex-106-E	*Method of Calculating the Plasticity Index of Soils	
		Tex-107-E	*Determination of Bar Linear Shrinkage of Soils	
		Tex-200-F	*Sieve Analysis of Fine and Coarse Aggregates	
D5	T49		Test Method for Penetration of Bituminous Materials	
D36	T53		Test Method for Softening Point of Bitumen (Ring-and-Ball Apparatus)	
D113	T51		Test Method for Ductility of Bituminous Materials	
D140	T40	Tex-222-F	Practice for Sampling Bituminous Materials	

**Table 4. ASPHALTIC MATERIAL TESTS and PROCEDURES (continued)**

D244	T59		Test Methods for Emulsified Asphalts	
D402	T78		Test Method for Distillation of Cut-Back Asphaltic (Bituminous) Products	
D1754	T179		Test Method for Effect of Heat and Air on Asphaltic Materials (Thin-Film Oven Test)	
D1856	T170	Tex-211-F	Test Method for Recovery of Asphalt From Solution by Abson Method	
D2170	T201		Test Method for Kinematic Viscosity of Asphalts (Bitumens)	
D2171	T202		Test Method for Viscosity of Asphalts by Vacuum Capillary Viscometer	
D3142	T227		Test Method for Density of Liquid asphalts (Hydrometer Method)	

\*Title from TxDOT Manual; others titles from ASTM Standards

**Table 5. ASPHALTIC MATERIAL TESTS and PROCEDURES**

ASTM	AASHTO	TxDOT	TITLE	Check Box if Accredited
D4318	T90	Tex-106-E	*Method of Calculating the Plasticity Index of Soils	
		Tex-107-E	*Determination of Bar Linear Shrinkage of Soils	
		Tex-200-F	*Sieve Analysis of Fine and Coarse Aggregates	
D5	T49		Test Method for Penetration of Bituminous Materials	
D36	T53		Test Method for Softening Point of Bitumen (Ring-and-Ball Apparatus)	
D113	T51		Test Method for Ductility of Bituminous Materials	
D140	T40	Tex-222-F	Practice for Sampling Bituminous Materials	
D244	T59		Test Methods for Emulsified Asphalts	
D402	T78		Test Method for Distillation of Cut-Back Asphaltic (Bituminous) Products	
D1754	T179		Test Method for Effect of Heat and Air on Asphaltic Materials (Thin-Film Oven Test)	
D1856	T170	Tex-211-F	Test Method for Recovery of Asphalt From Solution by Abson Method	
D2170	T201		Test Method for Kinematic Viscosity of Asphalts (Bitumens)	
D2171	T202		Test Method for Viscosity of Asphalts by Vacuum Capillary Viscometer	
D3142	T227		Test Method for Density of Liquid asphalts (Hydrometer Method)	

\*Title from TxDOT Manual; others titles from ASTM Standards

**Table 6. HOT MIX ASPHALT TESTS and PROCEDURES**

ASTM	AASHTO	TxDOT	TITLE	Check Box if Accredited
D979	T168	Tex-222-F	Practice for Sampling Bituminous Paving Mixtures	
D1560	T246	Tex-208-F	Test Methods for Resistance to Deformation and Cohesion of Bituminous Mixtures by Means of Hveem Apparatus	
D2041	T209	Tex-227-F	Test Method for Theoretical Maximum Specific Gravity and Density of Bituminous Paving Mixtures	
D2172	T164	Tex-210-F	Test Methods for Quantitative Extraction of Bitumen From Bituminous Paving Mixtures	
D2726	T166	Tex-207-F	Test Method for Bulk Specific Gravity and Density of Compacted Bituminous Mixtures Using Saturated Surface-Dry Specimens	
D3203	T269		Test Method for Percent Air Voids in Compacted Dense and Open Bituminous Paving Mixtures	
D5444			Test Method for Mechanical Size Analysis of Test Extracted Aggregate	

**Table 7. Specialized Testing**

ASTM	AASHTO	TxDOT	TITLE	Check Box if Accredited
		Tex-116-E	Ball Mill Method for Determining the Disintegration of Flexible Base Material	
		Tex-117-E	Triaxial Compression for Disturbed Soils and Base Materials	

**FORM B: Category 2: Geotechnical Engineering – Testing, Procedures, and Laboratory Accreditation Checklist**

Circle each testing procedure that the firm is accredited in (Table 1) and check each box in the far right column (Table 2) to indicate the firm’s accreditation.

**Table 1. Laboratory Accreditation**

LABORATORY ACCREDITATION (Circle all that apply)	
A2LA	YES/NO
AASHTO	YES/NO
E329	YES/NO
D3740	YES/NO
C1077	YES/NO
D3666	YES/NO

**Table 2. SOIL TESTS and PROCEDURES**

ASTM	AASHTO	TxDOT	TITLE	Check Box if Accredited
D421	T87	Tex-101-E	Practice for Dry Preparation of Soil Samples for Particle-Size Analysis and Determination of Soil Constants	
D422	T88	Tex-110-E	Test Method for Particle-Size Analysis of Soils	
D698	T99	Tex-113-E	*Laboratory Compaction Characteristics and Moisture-Density Relationship of Base Materials and Cohesionless sand	
D698	T99	Tex-114-E	*Laboratory Compaction Characteristics and Moisture-Density Relationship of Subgrade & Embankment Soils	
D1140	T11	Tex-111-E	*Determination of Amount of Material in Soils Finer Than the 75- $\mu\text{m}$ (No. 200) Sieve	
D2216	T265	Tex-103-E	*Determination of Moisture Content in Soil Materials	
D1557	T180		Test Method for Laboratory Compaction Characteristics of Soil Using Modified Effort (56,000 lbf/ft <sup>3</sup> (2,700 kN/-m <sup>3</sup> ))	
D2217	T146	Tex-101-E	Practice for Wet Preparation of Soil Samples for Particle-Size Analysis and Determination of Soil Constants	
D2487		Tex-142-E	Classification of Soils for Engineering Purposes (Unified Soil Classification System)	

D2488		Tex-141-E	Practice for Description and Identification of Soils (Visual-Manual Procedure)	
D2922	T238	Tex-115-E Part II	Test Methods for Density of Soil and Soil-Aggregate in Place by Nuclear Methods (Shallow Depth)	
D3017	T239	Tex-115-E Part II	Test Method for Water Content of Soil and Rock in Place by Nuclear Methods (Shallow Depth)	
D4318	T89	Tex-104-E	*Determination of Liquid Limit of Soils	
D4318	T90	Tex-105-E	*Determination of Plastic Limit of Soils	
D4318	T90	Tex-106-E	*Method of Calculating the Plasticity Index of Soils	
		Tex-121-E	*Soil Lime Compression Test	

\*Title from TxDOT Manual; others titles from ASTM Standards

**Form C: Technician Certification**

<b>TYPE OF WORK</b>				
<b>Soils and Portland Cement Concrete</b>				
	<b>Subcategory</b>	<b>Requirement</b>	<b>Person Performing Work</b>	<b>Certification Title</b>
	Soils	NICET Level II or Higher Associate Engineering Technician in soils technology		
	Portland Cement	Certified as an American Concrete Institute Grade 1 OR		
		NICET Level II or Higher Associate Engineering Technician in Concrete		
<b>Asphaltic Cement Concrete</b>				
	<b>Subcategory</b>	<b>Requirement</b>	<b>Person Performing Work</b>	<b>Certification Title</b>
	N/A	Texas Hot Mix Asphalt (HMA) Pavement Association		
		Texas Hot Mix Asphalt (HMA) Plant Operations Specialist or Higher		
<b>Specialized Testing</b>				
	<b>Subcategory</b>	<b>Requirement</b>	<b>Person Performing Work</b>	<b>Certification Title</b>
	Structural Steel	American Welding Society (AWS) Welding Inspectors		
		Certified American Society for Nondestructive Testing (ASNT) NDT Level II, or higher		
	Corrosion Coatings	National Association of Corrosion Engineers (NACE) Corrosion Inspector		
		Documented comparable, demonstrated qualifications and experience		

<b>Geotechnical Engineering</b>				
	<b>Subcategory</b>	<b>Requirement</b>	<b>Person Performing Work</b>	<b>Certification Title</b>
	N/A	NICET Level II or higher Associate Engineering Technicians in soils technology		

**FORM D: Category 3 – Forensic Engineering – Testing, Procedures, and Laboratory Accreditation Checklist**

Circle each testing procedure that the firm is accredited in (Table 1 and 2)

**Table 1: Required Accreditation**

ASTM	Description	Specify YES or NO
E543	Standard Specification for Agencies Performing Nondestructive Testing	YES / NO

**Table 2: Laboratory Accreditation (Informational)**

LABORATORY ACCREDITATION (Circle all that apply)	
ASTM	Specify YES or NO if Laboratory is Accredited
E329	YES / NO
D3740	YES / NO
C1077	YES / NO
D3666	YES / NO
Active TxDOT Precertified (Asphaltic Concrete)	YES / NO

**Demonstration of Expertise**

The City is interested in the firm’s past experience in being nationally recognized for the expertise of their professional and technical staff.

Please provide a total of 3 examples of any combination of the following:

- Published articles in industry, technical journals or magazines for forensic studies of construction materials
- Awards received for forensic studies of construction materials
- Other documented, comparable demonstration of qualifications and experience

