



**CITY OF AUSTIN, TEXAS**  
Purchasing Office  
**REQUEST FOR QUALIFICATION STATEMENTS (RFQS)**  
**OFFER SHEET**

**SOLICITATION NO:** RFQS SMB0301

**DATE ISSUED:** June 20, 2016

**REQUISITION NO.:** RQM 7400 16052300474

**COMMODITY CODE:** 94648

**FOR CONTRACTUAL AND TECHNICAL ISSUES CONTACT THE FOLLOWING AUTHORIZED CONTACT PERSON:**

Sandy Brandt  
Senior Buyer Specialist  
**Phone: (512) 974-1783**  
**E-Mail: Sandy.Brandt@austintexas.gov**

Tracy Franklin  
Corporate Contract Administrator  
**Phone: (512) 974-2034**  
**E-Mail: Tracy.Franklin@austintexas.gov**

**COMMODITY/SERVICE DESCRIPTION:** Financial Advisor Services

**NON-MANDATORY PRE-RESPONSE CONFERENCE TIME AND DATE:** 2:00pm local time on June 22, 2016

**LOCATION:** Purchasing Office Conference Room (3<sup>rd</sup> Floor of Municipal Building)  
124 W. 8<sup>th</sup> Street, Austin, TX 78767

Or call in by dialing (512) 974-9300, participant code 464410

**RESPONSES DUE PRIOR TO:** July 12, 2016 at 2pm local time

**RESPONSE CLOSING TIME AND DATE:** July 12, 2016 at 2:15pm local time

**LOCATION:** MUNICIPAL BUILDING, 124 W 8<sup>th</sup> STREET  
RM 308, AUSTIN, TEXAS 78701

**LIVE SOLICITATION CLOSING ONLINE:** For RFQS's, only the names of respondents will be read aloud

For information on how to attend the Solicitation Closing online, please select this link:

<http://www.austintexas.gov/departments/bid-opening-webinars>

**When submitting a sealed Offer and/or Compliance Plan, use the proper address for the type of service desired, as shown below:**

Address for US Mail (Only)	Address for Fedex, UPS, Hand Delivery or Courier Service
City of Austin	City of Austin, Municipal Building
Purchasing Office-Response Enclosed for Solicitation # RFQS SMB0301	Purchasing Office-Response Enclosed for Solicitation # RFQS SMB0301
P.O. Box 1088	124 W 8 <sup>th</sup> Street, Rm 310
Austin, Texas 78767-8845	Austin, Texas 78701
	Reception Phone: (512) 974-2500

**NOTE: Offers must be received and time stamped in the Purchasing Office prior to the Due Date and Time. It is the responsibility of the Offeror to ensure that their Offer arrives at the receptionist's desk in the Purchasing Office prior to the time and date indicated. Arrival at the City's mailroom, mail terminal, or post office box will not constitute the Offer arriving on time. See Section 0200 for additional solicitation instructions.**

All Offers (including Compliance Plans) that are not submitted in a sealed envelope or container will not be considered.

**SUBMIT 1 ORIGINAL AND 1 ELECTRONIC COPY OF YOUR RESPONSE ON FLASH DRIVE**

**\*\*\*SIGNATURE FOR SUBMITTAL REQUIRED ON PAGE 3 OF THIS DOCUMENT\*\*\***

This solicitation is comprised of the following required sections. Please ensure to carefully read each section including those incorporated by reference. By signing this document, you are agreeing to all the items contained herein and will be bound to all terms.

SECTION NO.	TITLE	PAGES
0100	STANDARD PURCHASE DEFINITIONS	*
0200	STANDARD SOLICITATION INSTRUCTIONS	*
0300	STANDARD PURCHASE TERMS AND CONDITIONS	*
0400	SUPPLEMENTAL PURCHASE PROVISIONS	4-6
0500	SCOPE OF WORK	7-9
0600	RESPONSE PREPARATION INSTRUCTIONS & EVALUATION FACTORS	10-12
0700	REFERENCE SHEET	13
0800	NON-DISCRIMINATION CERTIFICATION	*
0805	NON-SUSPENSION OR DEBARMENT CERTIFICATION	*
0810	NON-COLLUSION, NON-CONFLICT OF INTEREST, AND ANTI-LOBBYING CERTIFICATION	*
0900	MBE/WBE PROCUREMENT PROGRAM PACKAGE NO GOALS FORM – Complete & return	14-15

**\* Documents are hereby incorporated into this Solicitation by reference, with the same force and effect as if they were incorporated in full text. The full text versions of the \* Sections are available on the Internet at the following online address:**

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

**If you do not have access to the Internet, you may obtain a copy of these Sections from the City of Austin Purchasing Office located in the Municipal Building, 124 West 8<sup>th</sup> Street, Room #308 Austin, Texas 78701; phone (512) 974-2500. Please have the Solicitation number available so that the staff can select the proper documents. These documents can be mailed, expressed mailed, or faxed to you.**

#### **INTERESTED PARTIES DISCLOSURE**

**In addition, Section 2252.908 of the Texas Government Code requires the successful offeror to complete a Form 1295 “Certificate of Interested Parties” that is signed and notarized for a contract award requiring council authorization. The “Certificate of Interested Parties” form must be completed on the Texas Ethics Commission website, printed, signed and submitted to the City by the authorized agent of the Business Entity with acknowledgment that disclosure is made under oath and under penalty of perjury prior to final contract execution.**

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

**The undersigned, by his/her signature, represents that he/she is submitting a binding offer and is authorized to bind the respondent to fully comply with the solicitation document contained herein. The Respondent, by submitting and signing below, acknowledges that he/she has received and read the entire document packet sections defined above including all documents incorporated by reference, and agrees to be bound by the terms therein.**

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

Company Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Federal Tax ID No. \_\_\_\_\_

Printed Name of Officer or Authorized Representative: \_\_\_\_\_

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

Signature of Officer or Authorized Representative: \_\_\_\_\_

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

Email Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

**\* Qualifications Statement must be submitted with this Offer sheet to be considered for award**

**CITY OF AUSTIN PURCHASING OFFICE**  
**SECTION 0400: SUPPLEMENTAL PURCHASE PROVISIONS**  
**RFQS SMB0301: FINANCIAL ADVISOR SERVICES**  
**REVISED PER ADDENDUM #2**

The following Supplemental Purchasing Provisions apply to this solicitation:

1. **EXPLANATIONS OR CLARIFICATIONS:** (reference paragraph 5 in Section 0200)

All requests for explanations or clarifications must be submitted in writing to the Purchasing Office no later than five business days prior to the Solicitation Due Date.

2. The City may terminate the contract due to the Contractor's conflict of interest or perceived conflict of interest. The City has the sole discretion to determine a conflict of interest or perceived conflict of interest.

3. Joint responses will not be considered.

4. Contractor shall not participate on any City of Austin debt issuances as an underwriter, even if allowed by MSRB Rule G-23.

5. **INSURANCE:** Insurance is required for this solicitation.

A. **General Requirements:** See Section 0300, Standard Purchase Terms and Conditions, paragraph 32, entitled Insurance, for general insurance requirements.

i. The Contractor shall provide a Certificate of Insurance as verification of coverages required below to the City at the below address prior to contract execution and within 14 calendar days after written request from the City. Failure to provide the required Certificate of Insurance may subject the Offer to disqualification from consideration for award

ii. The Contractor shall not commence work until the required insurance is obtained and until such insurance has been reviewed by the City. Approval of insurance by the City shall not relieve or decrease the liability of the Contractor hereunder and shall not be construed to be a limitation of liability on the part of the Contractor.

iii. The Contractor must also forward a Certificate of Insurance to the City whenever a previously identified policy period has expired, or an extension option or holdover period is exercised, as verification of continuing coverage.

iv. The Certificate of Insurance, and updates, shall be mailed to the following address:

City of Austin Purchasing Office  
P. O. Box 1088  
Austin, Texas 78767

B. **Specific Coverage Requirements:** The Contractor shall at a minimum carry insurance in the types and amounts indicated below for the duration of the Contract, including extension options and hold over periods, and during any warranty period. These insurance coverages are required minimums and are not intended to limit the responsibility or liability of the Contractor.

i. **Worker's Compensation and Employers' Liability Insurance:** Coverage shall be consistent with statutory benefits outlined in the Texas Worker's Compensation Act (Section 401). The minimum policy limits for Employer's Liability are \$100,000 bodily injury each accident, \$500,000 bodily injury by disease policy limit and \$100,000 bodily injury by disease each employee.

(1) The Contractor'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 WC420304, or equivalent coverage

(b) Thirty (30) days Notice of Cancellation, Form WC420601, or equivalent coverage

ii. **Commercial General Liability Insurance:** The minimum bodily injury and property damage per occurrence are \$500,000 for coverages A (Bodily Injury and Property Damage) and B (Personal and Advertising Injury).

**CITY OF AUSTIN PURCHASING OFFICE**  
**SECTION 0400: SUPPLEMENTAL PURCHASE PROVISIONS**  
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- (1) The policy shall contain the following provisions:
  - (a) Contractual liability coverage for liability assumed under the Contract and all other Contracts related to the project.
  - (b) Contractor/Subcontracted Work.
  - (c) Products/Completed Operations Liability for the duration of the warranty period.
  - (d) If the project involves digging or drilling provisions must be included that provide Explosion, Collapse, and/or Underground Coverage.
- (2) The policy shall also include these endorsements in favor of the City of Austin:
  - (a) Waiver of Subrogation, Endorsement CG 2404, or equivalent coverage
  - (b) Thirty (30) days Notice of Cancellation, Endorsement CG 0205, or equivalent coverage
  - (c) The City of Austin listed as an additional insured, Endorsement CG 2010, or equivalent coverage
- iii. **Business Automobile Liability Insurance:** The Contractor shall provide coverage 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.
  - (1) The policy shall include these endorsements in favor of the City of Austin:
    - (a) Waiver of Subrogation, Endorsement CA0444, or equivalent coverage
    - (b) Thirty (30) days Notice of Cancellation, Endorsement CA0244, or equivalent coverage
    - (c) The City of Austin listed as an additional insured, Endorsement CA2048, or equivalent coverage.
- iv. **Professional Liability Insurance:** The Contractor shall provide coverage, at a minimum limit of \$5,000,000 per claim, 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 arising out of the performance of professional services under this Agreement.

If coverage is written on a claims-made basis, the retroactive date shall be prior to or coincident with the date of the Contract and the certificate of insurance shall state that the coverage is claims-made and indicate the retroactive date. This coverage shall be continuous and will be provided for 24 months following the completion of the contract.

- C. **Endorsements:** The specific insurance coverage endorsements specified above, or their equivalents must be provided. In the event that endorsements, which are the equivalent of the required coverage, are proposed to be substituted for the required coverage, copies of the equivalent endorsements must be provided for the City's review and approval.

**6. TERM OF CONTRACT:**

- A. The Contract shall be in effect for an initial term of 60 months and may be extended thereafter for up to three additional 12-month periods, subject to the approval of the Contractor and the City Purchasing Officer or his designee.
- B. Upon expiration of the initial term or period of extension, the Contractor agrees to hold over under the terms and conditions of this agreement for such a period of time as is reasonably necessary to re-solicit and/or complete the project (not to exceed 120 days unless mutually agreed on in writing).
- C. Upon written notice to the Contractor from the City's Purchasing Officer or his designee and acceptance of the Contractor, the term of this contract shall be extended on the same terms and conditions for an additional period as indicated in paragraph A above.

**CITY OF AUSTIN PURCHASING OFFICE**  
**SECTION 0400: SUPPLEMENTAL PURCHASE PROVISIONS**  
**RFQS SMB0301: FINANCIAL ADVISOR SERVICES**  
**REVISED PER ADDENDUM #2**

7. **INVOICES and PAYMENT:** (reference paragraphs 12 and 13 in Section 0300)

- A. Invoices shall contain a unique invoice number and the information required in Section 0300, paragraph 12, entitled "Invoices." Invoices received without all required information cannot be processed and will be returned to the vendor.

Invoices shall be mailed to the below address:

	City of Austin
Department	Treasury Office
Attn:	Debt Manager
Address	P.O. Box 2106
City, State Zip Code	Austin, TX 78768

- B. The Contractor agrees to accept payment by either credit card, check or Electronic Funds Transfer (EFT) for all goods and/or services provided under the Contract. The Contractor shall factor the cost of processing credit card payments into the Offer. There shall be no additional charges, surcharges, or penalties to the City for payments made by credit card.

**CITY OF AUSTIN PURCHASING OFFICE  
SECTION 0500: SCOPE OF WORK  
RFQS SMB0301: FINANCIAL ADVISOR SERVICES**

**A. PURPOSE**

The City of Austin, Texas, hereinafter referred to as the “City,” through the Financial and Administrative Services Department is requesting statements of qualifications from firms interested in providing Financial Advisor Services to the City.

**B. BACKGROUND**

Incorporated in 1839, the City operates under a Council-Manager form of government under its home rule charter. As a result of an amendment to the Austin City Charter approved at an election held in November, 2012, the configuration of the City Council has changed from a seven member council, comprised of a Mayor and six council members elected at large, to an eleven member council, with the Mayor elected at large, and the remaining members elected from ten single member districts. The first council election held in accordance with the 2012 amendment to the City Charter was held November 4, 2014.

The City’s major activities include police and fire protection, emergency medical services, parks and libraries, public health and social services, planning and zoning, general administrative services, solid waste disposal, and maintenance of bridges, streets and storm drains. The City owns and operates several major enterprises including Austin Energy, Austin Water, an airport and two public event facilities.

The City’s leaders look towards and plan for the future. The City’s approach of balancing the budget by not relying on one-time solutions, while at the same time making key investments in the community, the infrastructure, the economy, the sustainability, and its employees is providing a 21st century “best-managed” model for cities all around the country. A key City financial policy requires annual preparation of a five-year financial forecast projecting revenues and expenditures for all operating funds. This forecast is used as a tool to develop the following year’s operating budget. As directed by the financial policies, the City’s budgeting approach emphasizes fiscal responsibility by limiting spending in a given year to projected revenue collections.

In addition, the City annually prepares a five-year Capital Improvement Project (CIP) Plan that outlines all capital projects in progress, those that will be implemented in the five-year horizon, and related funding sources. During 2014, the City completed its first Long-Range CIP Strategic Plan, which covers a 10-year planning horizon, improving the transparency of the City’s long-term infrastructure plans. This plan further aligns the City’s CIP investments with the Imagine Austin Comprehensive Plan as the City strives to strike a balance between ongoing capital needs necessary to maintain services for a growing community and strategic investments that support community priorities.

On November 5, 2013, voters approved \$65 million in general obligation debt for affordable rental and ownership housing as well as preservation of existing affordable housing stock. The City is implementing projects authorized by this election as well as projects authorized in the November 2012 election, when Austin voters approved a \$307 million general obligation bond program that includes transportation and mobility projects, as well as projects for open space and watershed protection, parks and recreation, public safety, health and human services, and library, museum and cultural arts facilities. This bond program is being overseen by the Council-appointed Bond Oversight Committee, which is charged with ensuring efficiency, equity, timeliness, and accountability in the implementation of the program.

Maintaining sound financial and economic development policies within the City organization allows for a high level of services to the community. Because of consistent adherence to our financial policies, the City’s bond ratings for General Obligation bonds continue to receive the highest rating issued by each rating agency: Moody’s (Aaa), Standard & Poor’s (AAA) and Fitch (AAA). In November 2012, Austin Energy improved its Standard & Poor’s credit rating from A+ to AA-, a reflection of a rate increase and the utility’s diverse portfolio, as well as the City’s robust economy.

**CITY OF AUSTIN PURCHASING OFFICE  
SECTION 0500: SCOPE OF WORK  
RFQS SMB0301: FINANCIAL ADVISOR SERVICES**

Official Statements for the last sixteen years may be viewed online by selecting the “Official Statements” button at [www.austintexas.gov/financeonline/finance/main.cfm](http://www.austintexas.gov/financeonline/finance/main.cfm).

The City is seeking a firm capable of evaluating and recommending methods which will minimize the City’s cost of financial capital projects, strengthen the City’s overall financial condition, and enhance the perception of the City’s creditworthiness in the marketplace.

**C. CONTRACTOR REQUIREMENTS**

The responsibilities of the Contractor will include, but not be limited to the following:

**1. Bond Sales and Other Financing**

- 1.1 Provide recommendations on the marketing of bonds including methods for enhancing the rating, advice on bond covenants, pledge of revenue, flow of funds, legal coverage requirements, municipal bond market trends, and timing of issuances.
- 1.2 Provide advice and assistance on the requirements of various financing structures, the principal amount of bonds to be sold, maturity schedules, call and put features, premiums/discounts, basis of awards and types of sales.
- 1.3 Prepare a distribution list and timeline to include identification of tasks to be completed and those responsible, as well as critical events and deadlines, for each financing undertaken.
- 1.4 Prepare preliminary and final official statements and other offering documents as applicable to fully comply with all disclosure rules and requirements.
- 1.5 Coordinate bond ratings for any proposed issuance and participate in the preparation of information required for submission to the bond rating agencies.
- 1.6 Attend executive staff and City Council meetings and present information concerning issuance as requested.
- 1.7 Advise, inform and assist the City with the issuance’s due diligence conference.
- 1.8 Provide guidance during pre-pricing and pricing negotiations with underwriters.
- 1.9 Arrange for delivery of bonds and coordinate with bond counsel and registrar; oversee bond closings with successful bidder/senior underwriter, paying agent registrar, trustee, bond counsel, disclosure counsel, verification agent, and City staff, including instructions for closing, and arrange for printing and mailing of final offering documents with printer.
- 1.10 Prepare and present a post-issuance report that includes a debt schedule for the issue that includes, at a minimum, principal and interest requirements, the true interest cost, and a written discussion of any circumstances relating to the market or the City’s offering that may have impacted the sale results.
- 1.11 Assist the City as requested in complying with continuing disclosure of financial information and operating data pursuant to all Security and Exchange Commission rules.

**CITY OF AUSTIN PURCHASING OFFICE  
SECTION 0500: SCOPE OF WORK  
RFQS SMB0301: FINANCIAL ADVISOR SERVICES**

**2. Financial Planning and Other Tasks**

- 2.1 Assist in evaluating the performance of remarketing agents and credit facilities for commercial paper programs and variable rate demand notes, including borrowing rates, fees and other costs.
- 2.2 Evaluate and offer alternative financing techniques and instruments in addition to the traditional methods of financing utilized by the City.
- 2.3 Provide special financial advice to the City as needed. This may include assistance in the development of alternative financing programs for potential capital projects or assistance with upcoming bond elections, working with citizen committees, evaluating State and Federal legislation for the City, and other tasks as needed.
- 2.4 Provide financial planning services on a case-by-case basis including assisting with management studies of various enterprise funds, performing fee studies, evaluating consent agreement requests from Municipal Utility Districts, financial evaluation of developer agreements, and other like tasks.

**CITY OF AUSTIN PURCHASING OFFICE**  
**SECTION 0600: RESPONSE PREPARATION INSTRUCTIONS AND EVALUATION FACTORS**  
**RFQS SMB0301: FINANCIAL ADVISOR SERVICES**  
**REVISED PER ADDENDUMS #2 and #3**

**1. QUALIFICATION STATEMENT RESPONSE FORMAT**

Prefacing the response, the Respondent may provide an Executive Summary of three (3) pages or less, which gives in brief, concise terms, a summation of the response.

The response itself shall be organized in the following format and informational sequence and shall not exceed ten (10) pages, excluding Executive Summary, Audit Report, and other required Forms:

**A. Part I - Business Organization**

- i. State the full name and address of your organization and identify parent company if you are a subsidiary. Specify the branch or other subordinate element with will perform, or assist in performing, work herein. Indicate whether you operate as a partnership, corporation, or individual. Include the State in which incorporated or licensed to operate.
- ii. Provide any recent or proposed changes in the firm's management or ownership.

**B. Part II – Authorized Negotiator:** Include name, address, and telephone number of person in your organization authorized to negotiate Contract terms and render binding decisions on Contract matters.

**C. Part III – Background and Prior Experience of Firm:** Provide the following information, in this order:

- i. A brief history of the firm, including the year the firm was founded, and how long the firm has been providing financial advisory services to issuers of tax-exempt debt.
- ii. The firm's experience and qualifications relative to the "Bond Sales and Other Financing" section in Section 0500 Scope of Work, C.1. In the discussion, include the firm's approach in assisting municipal clients in developing general obligation and revenue bond financing programs and identify techniques used to lower financing and/or issuance costs.
- iii. The firm's experience and qualifications relative to the "Financial Planning and Other Tasks" in Section 0500 Scope of Work, C.2. In this discussion, include details about the firm's quantitative capabilities.
- iv. A list of governmental clients the firm has served in the capacity of Financial Advisor during the past five years. Indicate which of these clients the firm currently serves as Financial Advisor. This list of governmental clients may be submitted as an appendix that will not count toward the ten (10) page response limit.
- v. The firm's ability to provide independent financial advisory services to issuers of municipal debt. Describe the firm's processes and procedures that ensure independence and protect the issuer's best interests; describe your firm's process for identifying, mitigating, and/or resolving conflicts of interest. You may include in an appendix, copies of processes and procedures substantiating these efforts.

**D. Part IV - Personnel:** Include names, titles, and qualifications of key professional personnel who will be assigned to this contract. State the primary work assigned to each person and the estimated percentage of time each person will devote to this work. Provide resumes for each.

**E. Part V – Financial Viability:** Provide the most recent audited annual Audit Report and most recent interim financial report as an attachment or appendix item. Hard copies must be included in the original submittal.

**F. Part VI – References:** Provide exactly three (3) government client references, at least two of which are covered by individuals listed in Part IV above. For each reference, provide a name, title, and

**CITY OF AUSTIN PURCHASING OFFICE**  
**SECTION 0600: RESPONSE PREPARATION INSTRUCTIONS AND EVALUATION FACTORS**  
**RFQS SMB0301: FINANCIAL ADVISOR SERVICES**  
**REVISED PER ADDENDUMS #2 and #3**

organization, address and telephone number. In addition to the list provided, the City may independently solicit other references.

**G. Part VII - Non-Collusion, Non-Conflict of Interest, and Anti-Lobbying:**

- i. On November 10, 2011, the Austin City Council adopted Ordinance No. 20111110-052 amending Chapter 2-7, Article 6 of the City Code relating to Anti-Lobbying and Procurement. The policy defined in this Code applies to Solicitations for goods and/or services requiring City Council approval under City Charter Article VII, Section 15 (Purchase Procedures). During the No-Contact Period, Offerors or potential Offerors are prohibited from making a representation to anyone other than the Authorized Contact Person in the Solicitation as the contact for questions and comments regarding the Solicitation.
- ii. If during the No-Contact Period an Offeror makes a representation to anyone other than the Authorized Contact Person for the Solicitation, the Offeror's Offer is disqualified from further consideration except as permitted in the Ordinance.
- iii. If a Respondent has been disqualified under this article more than two times in a sixty (60) month period, the Purchasing Officer shall debar the Offeror from doing business with the City for a period not to exceed three (3) years, provided the Respondent is given written notice and a hearing in advance of the debarment.
- iv. The City requires Offerors submitting Offers on this Solicitation to provide a signed Section 0810, Non-Collusion, Non-Conflict of Interest, and Anti-Lobbying Affidavit certifying that the Offeror has not in any way directly or indirectly made representations to anyone other than the Authorized Contact Person during the No-Contact Period as defined in the Ordinance. The text of the City Ordinance is posted on the Internet at:

<http://www.ci.austin.tx.us/edims/document.cfm?id=161145>

- I. **Part VIII - Response Acceptance Period:** All responses are valid for a period of one hundred and twenty (180) calendar days subsequent to the solicitation closing date unless a longer acceptance period is offered in the response.
- J. **Part IX - Proprietary Information:** All material submitted to the City becomes public property and is subject to the Texas Open Records Act upon receipt. If a Respondent does not desire proprietary information in the response to be disclosed, each page must be identified and marked proprietary at time of submittal. The City 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.

**2. EXCEPTIONS:**

Be advised that exceptions to any portion of the Solicitation may jeopardize acceptance of the Response.

**3. RESPONSE PREPARATION COSTS:**

All costs directly or indirectly related to preparation of a response to the solicitation or any oral presentation required to supplement and/or clarify a response which may be required by the City shall be the sole responsibility of the Respondent.

**4. EVALUATION FACTORS AND AWARD**

- A. **Competitive Selection:** This procurement will comply with applicable City Policy. The successful Respondent will be selected by the City on a rational basis. Evaluation factors outlined in Paragraph B

**CITY OF AUSTIN PURCHASING OFFICE**  
**SECTION 0600: RESPONSE PREPARATION INSTRUCTIONS AND EVALUATION FACTORS**  
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below shall be applied to all eligible, responsive Respondents in comparing responses and selecting the Best Respondent.

**B. Evaluation Factors:**

i. 100 points.

- |   |           |
|---|-----------|
| (1) <u>Demonstrated Applicable Experience:</u> Refer to Part III above. | 60 POINTS |
| (2) <u>Personnel Qualifications:</u> Refer to Part IV above.            | 20 POINTS |
| (3) <u>Financial viability/stability:</u> Refer to Part V above.        | 10 POINTS |
| (4) <u>References:</u> Refer to Part VI above.                          | 10 POINTS |

ii. Interviews, Optional. The City will score responses on the basis of item 1-6 above. The City may select a "short list" of Respondents based on those scores. "Short-listed" Respondents may be invited for interviews with the City. The City reserves the right to re-score "short-listed" responses as a result of the interviews and to make award recommendations on that basis.

**Section 0700: Reference Sheet**

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

The City at its discretion may check references in order to determine the Offeror's experience and ability to provide the products and/or services described in this Solicitation. The Offeror shall furnish at least 3 complete and verifiable references. References shall consist of customers to whom the offeror has provided the same or similar services within the last 5 years. References shall indicate a record of positive past performance.

1. Company's Name \_\_\_\_\_

Name and Title of Contact \_\_\_\_\_

Project Name \_\_\_\_\_

Present Address \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Telephone Number (\_\_\_\_) \_\_\_\_\_ Fax Number (\_\_\_\_) \_\_\_\_\_

Email Address \_\_\_\_\_

2. Company's Name \_\_\_\_\_

Name and Title of Contact \_\_\_\_\_

Project Name \_\_\_\_\_

Present Address \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Telephone Number (\_\_\_\_) \_\_\_\_\_ Fax Number (\_\_\_\_) \_\_\_\_\_

Email Address \_\_\_\_\_

3. Company's Name \_\_\_\_\_

Name and Title of Contact \_\_\_\_\_

Project Name \_\_\_\_\_

Present Address \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Telephone Number (\_\_\_\_) \_\_\_\_\_ Fax Number (\_\_\_\_) \_\_\_\_\_

Email Address \_\_\_\_\_

**Section 0900: Minority- and Women-Owned Business Enterprise (MBE/WBE) Procurement Program No Goals Form**

SOLICITATION NUMBER:
PROJECT NAME:

**The City of Austin has determined that no goals are appropriate for this project.** Even though goals were not assigned 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, sub-consultant, or supplier. Return the completed Plan to the Project Manager or the Contract Manager.**

I understand that even though goals were not assigned, 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.	
_____	
<b>Company Name</b>	
_____	
<b>Name and Title of Authorized Representative (Print or Type)</b>	
_____	
<b>Signature</b>	<b>Date</b>

**Minority- and Women-Owned Business Enterprise (MBE/WBE) Procurement Program No Goals Utilization Plan**  
 (Please duplicate as needed)

SOLICITATION NUMBER:
PROJECT NAME:

**PRIME CONTRACTOR / CONSULTANT COMPANY INFORMATION**

Name of Contractor/Consultant			
Address			
City, State Zip			
Phone Number		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 / sub-consultants / suppliers that will be used in the performance of this Contract. **Attach Good Faith Effort documentation if non MBE/WBE firms will be used.**

<b>Sub-Contractor / Sub-Consultant</b>			
City of Austin Certified	MBE <input type="checkbox"/> WBE <input type="checkbox"/> Ethics / 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 / Sub-Consultant</b>			
City of Austin Certified	MBE <input type="checkbox"/> WBE <input type="checkbox"/> Ethics / 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** \_\_\_\_\_