

CROWLEY INDEPENDENT SCHOOL DISTRICT

**REQUEST FOR QUALIFICATIONS – STEP 1
CONSTRUCTION MANAGER AT-RISK**

**BID PACKAGE 9:
NEW ELEMENTARY NO. 18**

AS A RESULT OF 2023, BOND PROGRAM



September 17, 2024



NOTICE OF REQUEST FOR QUALIFICATIONS CONSTRUCTION MANAGER AT-RISK, TWO-STEP PROCESS

The Crowley Independent School District (the "District" or "CISD") believes in engaging with community partners with sustainable and meaningful partnerships that represent a cross-section of the diverse CISD community with intention. The opportunity to foster an environment where students see firsthand that no matter their race or color, the ability to transform the environment in which they live and learn is achievable. To accomplish its part in this and to promote Goal 2 of the District's strategic plan, Crowley ISD pursues providing historically underutilized businesses, including Disadvantaged-, Minority-, and Women-Owned Businesses, or a jointly ventured minority-owned business, with construction contracting opportunities. This seeks to reinvest in the local community's 48% African American and 34% Hispanic populations.

Crowley Independent School District's strategic plan identifies 3 Goals overall: Thriving Students, Engaged Community, and Empowered Staff, which are the driving principles that guide beliefs of the continued and future growth of the district.

Crowley ISD currently has 16,915 students and continues to grow year-over-year. Its educational facilities include 15 elementary schools, a Montessori Academy, four middle schools, two ninth-grade schools, two high schools, an alternative learning center, and a career and technology education center. Each campus benefits from staff members empowered by the ability to effectively and equitably distribute resources across the District, and the actions of Bond construction projects should not inhibit this in any way.

For the first time since 2007, the Crowley ISD Board of Trustees voted unanimously to hold a bond election on May 6, 2023. A diverse planning committee of citizens, community leaders, campus staff, students, and parents were formed to study and prioritize the current and future needs of Crowley ISD. The 2023 Bond was based on their recommendations. The 2023 Bond proposal totaling \$1.04 billion allows Crowley ISD to continue to support student enrollment and population growth in the community via seven new schools, safety and security enhancements at all campuses, inclusive outdoor learning center, track and field complex, and many more projects across the District that will benefit all the District's students. The full bond package details and results can be viewed at www.crowleyisdtx.org/bond23.

The Crowley Independent School District intends to select a Construction Manager-At-Risk firm if deemed in the best interest of the district for the purpose of constructing New Elementary No. 18. Pursuant to the provisions of the Texas Government Code Chapter 2269, Subchapter F, it is the intention of the Crowley Independent School District to select a Construction Manager At-Risk (CMAR), via a two-step Request for Qualifications (RFQ) process.

The RFQ/RFP package is available for download from <https://www.crowleyisdtx.org/Page/2393> Questions regarding the RFQ should be directed in writing via email to the person listed below. All questions must be received on or before 2:00 pm (local time) on Thursday, October 3, 2024. No verbal responses will be provided.

Nadia Powers, M.S.Ed., CTSBS
Director of Purchasing
Crowley Independent School District
nadia.powers@crowley.k12.tx.us

Sealed responses marked "CMAR Request for Qualifications – Step 1, New Elementary No. 18, September 17, 2024" will be received until **10:00 AM (Local Time), Monday, October 7, 2024**. Sealed responses will be received at:

Nadia Powers, M.S.Ed., CTSBS
Director of Purchasing
Crowley Independent School District
10400 N. Crowley Road
Crowley, Texas 76036

Submittals received after that time will not be considered for evaluation. The Crowley ISD reserves the right to waive any informality or to reject any, or all, CMAR Request for Qualifications submittals.

The Crowley Independent School District Board of Trustees reserves the right to reject any or all RFQ responses, to waive technicalities, and to re-advertise for new CMAR's in the best interests of the District.

**REQUEST FOR QUALIFICATIONS FOR
CONSTRUCTION MANAGER AT-RISK SERVICES
BP9: NEW ELEMENTARY SCHOOL NO.18**

The Crowley ISD intends to select a Construction Manager At-Risk for the purpose of constructing the building package of New Elementary No. 18. The selection shall be accomplished in a two-step process as provided for in the Texas Government Code, Chapter 2269, Contracting and Delivery Procedures for Construction Contracts, Subchapter F, Construction Manager At-Risk Method.

Responses shall include the information requested in the sequence and format prescribed.

Sealed submittals shall be identified on the cover as follows:

**CMAR Request for Qualifications – Step 1
BID PACKAGE 9:
NEW ELEMENTARY SCHOOL NO. 18**

**Crowley Independent School District
September 17, 2024**

Sealed submittals of the Qualifications Statements shall be submitted to:

**Nadia Powers, M.S.Ed., CTSBS
Director of Purchasing
Crowley Independent School District
10400 N. Crowley Road
Crowley, Texas 76036**

No later than 10:00 AM (Local Time), Monday, October 7, 2024

The District shall receive, publicly open, and read aloud the name of the firms submitting a Statement of Qualifications. The District shall select no more than five firms for Step 2 Proposals solely on the basis of Step 1 qualifications. The selection criteria shall include the firm's experience, past performance, safety record, proposed personnel and methodology, HUB and MWBE utilization, and other appropriate factors that demonstrate the capability of the Construction Manager At-Risk. The District's Board of Trustees has delegated the authority of selecting and ranking firms to a committee composed of members of the CISD administration and facilities representatives.

In accordance with the schedule, interviews will be conducted Wednesday, October 16, 2024. Interviews will be conducted with the short-listed firms prior to submission of Step 2 Proposals. The interview shall be considered a part of the Step 2 evaluation process.

Upon conclusion of the interviews and submission of the Step 2 Proposals, the firms will be evaluated and ranked in accordance with the criteria contained in the Request for Qualifications and determined to provide the best value for the District.

Queries about the projects and the Request for Qualifications should be addressed via e-mail to:

Nadia Powers
Director of Purchasing
Crowley Independent School District
nadia.powers@crowley.k12.tx.us

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CONSTRUCTION MANAGER @ RISK SELECTION SCHEDULE

- First Advertisement Tuesday, September 17, 2024
- Request for Qualifications Released Tuesday, September 17, 2024
- Second Advertisement Tuesday, September 24, 2024
- Pre-submittal Conference 10:00 AM - Tuesday, September 24, 2024
CISD Maintenance Conference Room
10400 N. Crowley Road
Crowley, Texas 76036
- Deadline for Questions **2:00 PM** – Thursday, October 3, 2024
- Addendum (if needed) Friday, October 4, 2024
- Receive Statements of Qualifications (Step 1) **10:00 AM** – Monday, October 7, 2024
CISD Maintenance Conference Room
10400 N. Crowley Road
Crowley, Texas 76036
- Establish short list of firms and notify for Step 2 Tuesday, October 8, 2024
- Conduct Interviews Wednesday, October 16, 2024
- Receive Proposals (Step 2) **1:00 PM** – Wednesday, October 16, 2024
CISD Maintenance Conference Room
10400 N. Crowley Road
Crowley, Texas 76036
- Recommendation to Board of Trustees Thursday, October 24, 2024

PROJECT DESCRIPTIONS

Project

New Elementary School No. 18

Architect

VLK Architects, Inc.

Project Site

The site is located north of Bill R. Johnson CTE and Northeast of Sewell Agricultural Science Center. 1800 Cleburne Crowley Road.; Fort Worth, TX.

Project Scope

The anticipated scope of work for this proposal is as follows:

New Crowley Collegiate Academy

- Capacity 650 students
- Administration office and front reception
- 1 story building
- Cafeteria
- Gymnasium that also serves as the storm shelter

Anticipated Schedule

Schedule	Task
Schematic Design	
Tuesday, October 1, 2024	Schematic Design Review
Tuesday, October 15, 2024	Schematic Design Review
Tuesday, October 15, 2024	Initiate Geotechnical Report (Receive Report by November 26)
Tuesday, October 22, 2024	100% Schematic Design Documents Issued
Monday, October 28, 2024	Design development phase begins
Tuesday, November 12, 2024	Review of plans with departmental representatives Review of plans with technology and PD
Tuesday, November 12, 2024	Preliminary Geotech Due
Tuesday, November 19, 2024	Review of plans with maintenance
Tuesday, November 26, 2024	Geotechnical Report Due
Tuesday, December 17, 2024	100% Design Development Documents Issued
Construction Documents	
2025	
Tuesday, January 21, 2025	CMAR Review DD Pricing with Crowley ISD
Tuesday, January 28, 2025	Send CISD Preliminary Hardware Schedule for Review
Tuesday, March 11, 2025	50% Construction Document Review Issued
Tuesday, April 1, 2025	CMAR Review 50% Pricing with Crowley ISD
Tuesday, April 29, 2025	95% Construction Document Review Issued
Tuesday, May 13, 2025	CMAR Review 95% Pricing with Crowley ISD

Tuesday, May 27, 2025	OFB: 100% Construction Documents Issued
Thursday, July 10, 2025	Bid Day
Thursday, July 24, 2025	Board Approval of GMP
Tuesday, August 12, 2025	Notice to Proceed (17-month construction duration)
2027	
Tuesday, February 23, 2027	Substantial completion of Elementary School No 18

Anticipated Construction Budget:

\$40,000,000

Project team consists of:

Crowley ISD, VLK Architects, Inc., TNP -Civil Engineer and Landscape Architect, Foodservice Design Professionals – Foodservice, RWB Consulting Engineers – Mechanical, Electrical, and Plumbing, Atlas Consulting- Technology and Security, L.A. Fuess Partners- Structural Engineer, WJHW – Acoustical Consultant.

PRE-CONSTRUCTION SERVICES:

The Construction Manager shall provide the following:

- Attend regular design meetings with the District and Architect to review the project status and to develop an understanding of the project scope.
- Consult with the District and Architect regarding on-site and off-site development, building systems selection, material selection, and identification of long-lead items impacting the project schedule. Recommend to the District and Architect a schedule for procurement of long-lead items that will constitute the work as required to meet the project schedule.
- Provide recommendations on construction feasibility.
- If any estimate submitted to the District exceeds the agreed upon budget, the Construction Manager shall make recommendations to the District and Architect to reduce the cost of the project.
- Provide alternative design solutions, including cost and schedule impacts, for determination of best value for the District.
- Prepare and periodically update a preliminary project schedule for the Architect's review and the District's approval. The Construction Manager shall coordinate and integrate the preliminary project schedule with the services and activities of the District, Architect, and Construction Manager.

Schematic Design

- Prepare conceptual preliminary estimate.
- Review schematic design documents with Owner and Architect.
- Submit to the Owner and the Architect considerations for time and cost control.
- Identify areas of phased construction.

Design Development

- Prepare a detailed estimate in CSI format, based on design drawings.
- Review the design development documents with the Owner and the Architect.
- Revise and update the schedule.
- Prepare an updated market report regarding local suppliers and material.
- Prepare a site use study to be used for allocation of space for storage, construction parking and temporary facilities.
- Cash flow analysis for both the design and construction phases.

Construction Documents

- The Construction Manager shall assist the District and Architect in determining phasing, packaging, and the associated definition of scope.
- Review the Construction Documents with the Owner and Architect.
- Prepare a comprehensive estimate in CSI format at 50 % & 95% to ensure alignment with the project budget.

Proposal Phase

- Schedule and conduct pre-bid conferences.
- Develop multiple proposal packages as necessary in order to achieve occupancy, efficiency of general conditions cost, and the greatest economy for the District.
- Prequalification of bidders.
- Review, analyze and evaluate and rank subcontractor bids.
- Provide a Guaranteed Maximum Price for the project.

CONTRACTS:

The District will use AIA document A133-2019 as the base construction contract document with the Construction Manager. The general form of the General Conditions document will be the AIA document A201 – 2017. These contracts will be modified/amended by the District's legal counsel, and provided to the short-listed firms prior to submission of the Step 2 Proposals. Any changes, modifications, or exceptions must be specifically noted, in writing, as part of the Step 2 Proposal. Fee structures will be negotiated and contained as a part of the final agreement. As a part of your proposal indicate that, if selected, you will execute this contract, noting exceptions. All requests for modifications will be through mutual agreement of the Owner and Construction Manager. In the event an agreement cannot be reached, the District will terminate negotiations, and begin negotiations with the next ranked firm that provides the best value to the District.

HISTORICALLY UNDERUTILIZED BUSINESS AND MINORITY-AND WOMEN-OWNED BUSINESSES (HUB/M/WBE):

The District establishes the 20 percent minimum percentage goals for District work to be performed by HUBs or M/WBEs as prime contractors or as subcontractors for work valued at or above \$50,000 and advertised for competitive bid or competitive sealed proposals: However, nothing in CH(Local) board policy shall operate in violation of law, including the provisions of the revised civil statutes of Texas, Texas Education Code 44.031, or any other provision of state or federal law.

Crowley Independent School District is interested in receiving RFQ responses from prime HUBs or M/WBEs or from HUB's in a teaming/joint-venture agreement.

AUDIT:

The Owner will retain the right to audit any or all accounting records of this project upon demand for up to 3 years after final completion of the work or final acceptance of the work by the Owner, whichever is later. The audits may include any or all payments made to subcontractors, companies or individuals, for all work associated with this project, to the extent required for a complete accounting of all costs. The accounting method must clearly show the breakdown of the following as a minimum:

- Unit and material cost
- Invoices
- Specific wage rates (unburdened actual costs) for all trades
- Documentation of actual burden and benefit costs for all personnel chargeable to the project.
- Premium time mark-ups for all trades, if any
- Contractor's fee
- Materials mark-up
- Subcontractors' mark-ups
- Insurance and bond costs
- Equipment and tool rental costs
- Any other documentation required

Audits may occur at regular or irregular intervals. The Construction Manager must be able to provide documentation required upon request within 24 hours during the duration of the project. Audits will use the proposal and bidding information as the basis for verification of costs at each audit. The Construction Manager is to provide certification and reconciliation of all project costs to Owner at the completion of the project.

Advertisement:

Advertisement for Construction Manager @ Risk, Two-Step Process:

Pursuant to the provisions of the Texas Government Code Chapter 2269, Subchapter F, it is the intention of Crowley ISD to select a Construction Manager At-Risk (CMAR), via a two-step Request for Qualifications (RFQ) process, for New Crowley Collegiate Academy. The RFQ package is available for download at <https://www.crowleyisdtx.org/Page/2393>

Questions regarding the RFQ should be directed in writing via e-mail to the person listed below. No verbal responses will be provided:

Nadia Powers, M.S.Ed., CTSBS
Director of Purchasing
Crowley Independent School District
nadia.powers@crowley.k12.tx.us

Sealed responses marked "CMAR Request for Qualifications, New Elementary School No. 18, Crowley Independent School District, September 17, 2024" will be received until **10:00 AM (Local Time), Monday, October 7, 2024**. Sealed responses will be received at:

Nadia Powers, M.S.Ed., CTSBS
Director of Purchasing
Crowley Independent School District
10400 N. Crowley Road
Crowley, Texas 76036

Submittals received after that time will not be considered for evaluation, or to reject any, or all, CMAR Request for Qualification submittals.

Contact between vendors and Crowley ISD representatives and or Crowley ISD Board of Trustees during the proposal process and or evaluation process is prohibited. Any attempt by vendors during the proposal process and or during the evaluation process to contact CISD representatives and or Crowley ISD Board of Trustees, may result in disqualification of your bid response. All communication shall go through the Purchasing Department during this competitive process. All questions received and the corresponding answers will be distributed to all bidders. No verbal responses will be provided. The vendors will be responsible for reviewing any posted applicable addenda.

The Crowley Independent School District Board of Trustees reserves the right to reject any or all RFQ responses, to waive technicalities, and to re-advertise for new CMAR's in the best interests of the District.

SUBMISSION REQUIREMENTS AND OUTLINE

Submit eight hard copies and one digital copy in .pdf format of your qualifications.

Please provide the following information in the sequence and format prescribed by this questionnaire. All information requested in the questionnaire must be provided in all eight hard and digital copies. Supplemental materials providing additional information may be attached, but the information requested below is to be provided in this format:

Company Information

Company name:

Address of office that will perform work:

Telephone number:

Form of Business Organization (Corporation, Partnership, Individual, Joint Venture, other):

Name of Primary Contact:

Primary Contact telephone number:

Primary contact e-mail:

Year Founded:

Tab 1: Ownership:

- 1.1 In accordance with the District's strategic goals, the Respondent's status as a Historically Underutilized Business.
- 1.2 Points may also be awarded to firms engaging in a joint venture with a minority-owned business for this Request For Qualifications (See Page 10).

Tab 2: Experience

- 2.1 Years in Business; Provide the following information for years in business:
 - 2.1.1 How many years has your organization been in business in construction in its current capacity?
 - 2.1.2 Number of years operating within the Dallas-Fort Worth Area?
 - 2.1.3 Number of years as a Construction Manager at Risk?
- 2.2 Experience in the North Texas construction market of schools as CMAR; Provide the following information for each project listed for a minimum of five completed projects in the last 8 years:
 - 2.2.1 Project name, location, description, original budget, GMP, Final Cost, and project size
 - 2.2.2 Original Substantial completion and actual substantial completion date
- 2.3 Experience in the North Texas construction market of Elementary schools; Provide the following information for each project listed for a minimum of five completed projects in the last 8 years:
 - 2.3.1 Project name, location, description, original budget, GMP, Final Cost, and project size
 - 2.3.2 Original Substantial completion and actual substantial completion

- date
- 2.4 Current projects:
 - 2.4.1 List the major construction projects your organization has in progress, giving the name and location of project, owner, architect, contract amount, building area, percent complete, and scheduled completion date and construction delivery method.
 - 2.4.2 State the total amount of work currently under contract.
 - 2.5 State the average annual amount of construction work performed for each of the last five years (2019– 2023).
 - 2.6 List your HUB/M/WBE Contractor Participation percent (%) for current projects listed in 2.4.
 - 2.7 Identify your method(s) for soliciting minority participation.
 - 2.8 List the categories of work that your organization normally performs with its own forces.
 - 2.9 List any subcontractors in which your organization has some ownership and list the categories of work those subcontractors normally perform.

Tab 3: Technical Competence

- 3.1 Schedule: Provide a schedule that will be used to control various project phases, Describe your approach to assure timely completion, including methods used for schedule recovery and describe strategies for meeting or improving schedules for design and/or construction.
- 3.2 Pre-Design Estimates: Describe your organization's methods for estimating cost during the design/ document phases. Provide the following information for one of the projects listed in 2.2.1 and (or) 2.3.1.
 - 3.2.1 Attach a sample cost estimate prepared during the design phase of a project and a sample of the final cost estimate/breakdown used to fix the contract amount for the same project. (Identity of the project may be concealed)
- 3.3 Technology: Provide examples of information management systems you will use during pre-construction services.
- 3.4. Cost control: Provide the following information:
 - 3.4.1 Describe your organization's concept for the disposition of savings realized during construction. Is the full amount returned to the Owner?
 - 3.4.2 Describe your organization's concept for cost contingencies during design and construction. List what is the typical or maximum contingency used in each design phase estimate and during construction. What is your organization's concept for cost contingency funds after the completion of the project? Will all unused contingencies be returned 100% to the Owner?
 - 3.4.3 Your organization will be required to make all cost information during design and construction available to the Owner and Architect. Describe how this information would be furnished and how the Owner and Architect would be assured that it is complete and accurate. The successful proposer must provide

supplementary documentation to further describe the basis of the GMP and any assumptions, qualifications, exclusions, and contingencies which directly or indirectly form the basis for the GMP. This breakdown shall be in the CSI format or similar Schedule of Values format.

- 3.5 HUB participation; How do you intend to ensure HUB participation accountability for the duration of a project?
- Provide examples of forms used to document compliance during construction.

Tab 4: Capability to Perform

- 4.1 Financials: Attach a financial statement (for the last two years 2022 and 2023), preferably audited, including your organization's latest balance sheet and income statement showing the following items. CM at Risk response may be considered non-responsive if financial statements are not submitted. Proposer may submit one sealed/confidential financial statement information in a separate envelope marked as confidential.
- 4.1.1 Current Assets (e.g., cash, joint venture accounts, accounts receivable, notes receivable, accrued income, deposits, materials inventory, and pre-paid expenses).
 - 4.1.2 Net Fixed Assets
 - 4.1.3 Other Assets
 - 4.1.4 Current Liabilities (e.g., accounts payable, notes payable, accrued expenses, provision for income taxes, advances, accrued salaries, and accrued payroll taxes).
 - 4.1.5 Other Liabilities (e.g., capital stock, authorized and outstanding shares par value, earned surplus, and retained earnings).
 - 4.1.6 Name and address of firm preparing attached financial statement and date thereof.
 - 4.1.7 Is the attached financial statement for the identical organization named on item 1.1? If not, explain the relationship and financial responsibility of the organization whose financial statement is provided (e.g., parent-subsidary).
 - 4.1.8 Will the organization, whose financial statement is attached, act as guarantor of the contract for construction?
 - 4.1.9 Bank reference: Provide name, address, and phone number.
 - 4.1.10 Surety: Name of bonding company and name and address of agent. Provide a letter from the bonding company indicating that Performance and Payment Bonds for 100% of the construction costs will be provided upon submission of the Guaranteed Maximum Price (GMP). Submit letter from bonding company on Bonding Company letter head stating the maximum single project bondable amount. This letter shall state the bonding company will bond the contractor for a project amount of at least \$60,000,000

- min. for single project. (including CMAR Fee, bonds, insurance, General Conditions).
- 4.1.11 Dunn & Bradstreet rating
 - 4.1.12 Demonstrate your firm's commitment and history with paying sub-contractors on-time on a consistent basis. Provide up to (3) subcontractor references that can verify this information.
- 4.2 Litigation: Provide details of any past or pending litigation, or claims filed against your firm in the past five years that may affect your performance under a Contract with the Owner. (If the answer to any of the questions below is yes, please attach details). If this is not applicable, please respond accordingly.
- 4.2.1 Has your organization ever failed to complete any work awarded to it?
 - 4.2.2 Are there any judgments, claims, arbitration proceedings, or suits pending, or outstanding, against your organization or its officers?
 - 4.2.3 Has your organization filed any lawsuits or requested arbitration within the last five years.
- 4.3 Does the Prime firm(s) have any occurrences of a construction contract termination by a school district over the past 10 years? Yes or No If Yes, was the termination for cause or termination for convenience? Provide an explanation for the termination for every listed occurrence.
- 4.4 Safety Record
- 4.4.1 Provide your firm's Experience Modification Rate (EMR) for the past three (3) years.
 - 4.4.2 Describe your firm's safety program and dedication to safety during construction. Who on the project team is responsible for the on-going safety program?
- 4.5 References: For five (5) of the projects listed above in item 2.2.1 and/or 2.3.1, identify a representative of the owner and a representative of the architect (provide name, phone, and email) whom we could contact as references regarding your organization's services.

Tab 5: Past Performance

- 5.1 Project Team Time with company for each individual: Given the scope and schedule of the project, identify who would work on the project. Provide assurances the identified team will remain with this project throughout the course of construction. Provide an organizational chart with proposed staffing.
- 5.2 Project Team time in construction: Provide a resume for each individual identified in 5.1 and identify length of time in construction.
- 5.3 Number of K-12 school projects completed by each individual: Provide references for each individual identified in 5.1
- 5.4 Project Team past relationship with the district: List projects and you may include project with other organizations.
- 5.5 Provide a list of all the minority-owner or -operated subcontractors; and suppliers for each category listed below awarded projects over the past (3) years. List the contract percent (%) awarded for each project listed

under each category for each subcontractor and supplier. Provide contact information for each subcontractor and supplier listed under each category. Identify Minority and Women Owned Business Enterprise (MWBE) "Minority Group Member" means those persons, citizens of the United States and lawfully admitted resident aliens, who are defined as Black, African American, Hispanic, Mexican American, Asian American, Asian Pacific American, Asian Indian American or Native American. **If no minority subcontractors are identified for a category state "none".**

- Earthwork
- Concrete
- Masonry
- Millwork/Casework
- Waterproofing
- Door Hardware
- Drywall
- Ceramic Tile/Quarry Tile
- Painting
- Metal Building System
- Plumbing
- HVAC Controls
- Technology
- Security
- Synthetic Turf and/or Running Tracks
- Site Utilities
- Insulating Concrete Forms
- Steel Fabrication
- Roofing
- Glass and Glazing
- Door Access Control
- Resilient Floor Covering/Carpet
- Terrazzo Flooring
- Stage/Theatrical
- Sprinkler System
- Mechanical (HVAC)
- Electrical
- Fire Alarm
- Public Address
- Landscape and Irrigation

Tab 6: Forms

6.1 Insert the following required forms in this section of the response:

- Completed – Deviation/Compliance
- Completed – Non-Collusion Statement
- Criminal Background Check / Felony Conviction Notification
- Completed – Nonresident Bidder’s Certification
- Completed – Debarment or Suspension Certification
- Conflict of Interest: It is the vendor’s responsibility to notify the school district if there is a conflict of interest. The following website will provide the appropriate form to be completed and submitted with the vendor’s proposal. Website: <https://www.ethics.state.tx.us/data/forms/conflict/CIQ.pdf> . By law this questionnaire must be filed with the records administrator of the local government not later than the 7th business day after the date the person becomes aware of facts that require the statement to

be filed. See Section 176.006, Local Government Code. A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor. (Ref H.B. 23.)

Officers of the Crowley Independent School District are as follows:

Dr. Michael McFarland, Superintendent of Schools

Daryl R.Davis,II, Board President

Gary Grassia, 1st Vice President

Dr. Mia Hall, 2nd Vice President

Nedra Robinson, Board Secretary

June W. Davis, Board of Trustee Member

Kelicia Stevenson, Board of Trustee Member

Dr. Latonya Woodson-Mayfield, Board of Trustee Member

- Completed – Compliance with House Bill 89
- Provide statement of Compliance for SB 252 - State **Yes** or **No**
Prohibition on Contracts with Certain Companies (SB 252):

The Proposer verifies that neither the company, nor any subsidiaries, nor entities under common control, are included in or identified on the listed maintained by the Texas Comptroller's Office as a "terrorist organization.

- W-9
- Clean Air and Water Act Compliance
- Contractor Certification for Contractor Employees
- Any CMAR entering into a contract for construction with Crowley ISD will be required to file Form 1295 electronically with the Texas Ethics Commission using the online filing application

CRITERIA FOR SELECTION

In accordance with the Texas Education Code, title 2. Public Education, Chapter 44, Fiscal Management, Sub-chapter B, Purchases; Contracts, 44.031, Purchasing Contracts, and the Texas Government Code Section 2269.055. Crowley ISD may consider the following in determining to whom to award the contract for Construction Manager at Risk services for the construction of the projects described in this proposal package. The District shall first attempt to negotiate a contract with the highest ranked offeror. If the District is unable to negotiate a satisfactory contract with the selected offeror, the District shall formally, and in writing, end negotiations with that offeror and proceed to negotiate with the next offeror in the order of the selected ranking until a contract is reached or negotiations with all ranked offerors end.

STEP 1	
10 points	<p>Ownership:</p> <p>1.1. In accordance with the District's strategic goals, the Respondent's status as a Historically Underutilized Business. (Total points received under Ownership will be based on either HUB or JV Status, not both)</p> <p>1.2. Points may also be awarded to firms engaging in a joint venture with a minority-owned business for this Request For Qualifications (See Page 10). (JV total points received under Ownership will be based on either HUB or JV Status, not both)</p>
20 points	<p>Experience:</p> <p>2.1 Years in Business</p> <p>2.2 Experience in the North Texas Construction Market of Schools as CMAR</p> <p>2.3 Experience in the North Texas Construction Market of Elementary Schools</p> <p>2.4 Current Projects</p> <p>2.5 Average Construction Amount of the last five years (2019-2023)</p> <p>2.6 List your HUB/M/WBE Contractor Participation percent (%) for current projects listed in 2.4.</p> <p>2.7 Identify your method(s) for soliciting minority participation.</p>
5 points	<p>Technical Competence:</p> <p>3.1 Schedule</p> <p>3.2 Pre-design estimates</p> <p>3.3 Technology</p> <p>3.4 Cost control</p> <p>3.5 HUB Participation</p>
5 points	<p>Capability to perform:</p> <p>4.1 Financials</p> <p>4.2 Litigation</p> <p>4.3 Contract Termination</p> <p>4.4 Safety Record</p> <p>4.5 References</p>
20 points	<p>Past Performance:</p> <p>5.1 Project Team Time with company for each individual.</p> <p>5.2 Project Team time in construction</p> <p>5.3 Number of K-12 schools projects completed by each individual</p>

	5.4 Project Team past relationship with the district 5.5 List your awarded projects over the past 3 years to minority subcontractors for each trade and %
	Total possible points for Step 1 = 60 points
STEP 2	
20 points	Price: Lowest overall pricing will receive 20 points. The cost score is a ratio of the difference between a proposal's cost and the cost of the lowest proposal. The other proposals receive fewer points in descending order.
20 points	Interview: Short listed team will answer committee questions and will be scored on how they answer those questions and their overall approach to the project.
	Total possible points for Step 2 = 40 points

Total overall Points Available = 100 points

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DEBARMENT OR SUSPENSION CERTIFICATION FORM

Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

By submitting this offer and signing this certificate, this bidder/proposer:

- (1) Certifies that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

Firm’s Name: _____

Address: _____

City/State/Zip: _____

Telephone: _____

Authorized Company Official’s Name: _____
(Typed or printed)

Title of Authorized Representative: _____
(Typed or printed)

Signature of Authorized Company Official: _____

Date Signed: _____

House Bill 89 VERIFICATION

I, _____ the undersigned
representative of

_____ Company or Business name
(hereafter referred to as company) being an adult over the age of eighteen (18) years of age,
verify that

the company named-above, under the provisions of Subtitle F, Title 10, Government Code
Chapter
2270:

1. Does not boycott Israel currently; and
2. Will not boycott Israel during the term of the contract the above-named
Company, business or individual with the Crowley Independent School District.

Pursuant to Section 2270.001, Texas Government Code:

1. "Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes; and

2. "Company" means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or any limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of those entities or business associations that exist to make a profit.

Date

Signature of Company Representative

RESIDENT/NONRESIDENT CERTIFICATION

Texas Government Code Chapter 2252 relates to bids by nonresident contractors. The pertinent portions of the Act are as follows:

Section 2252.001(3)

“Nonresident bidder” means a bidder who is not a resident (of the State of Texas).

Section 2252.001(4)

“Resident bidder” means a bidder whose principal place of business is in this state, including a contractor whose ultimate parent company or majority owner has its principal place of business in this state.

Section 2252.002

A governmental entity may not award a governmental contract to a nonresident bidder unless the nonresident underbids the lowest bid submitted by a responsible resident bidder by an amount that is not less than the amount by which a resident bidder would be required to underbid the nonresident bidder to obtain a comparable contract in the state in which the nonresident’s principal place of business is located.

I certify that _____ is a

Resident Bidder of Texas as defined in Texas Government Code Section 2252.001(4).

Signature: _____

Printed Name: _____



I certify that _____ is a

Nonresident Bidder of Texas as defined in Texas Government Code Section 2252.001(3) and our principal place of business is:

City / State: _____

Signature: _____

Printed Name: _____

If the Bidder is a Nonresident Bidder of Texas, please answer the following:

Does the vendor’s ultimate parent company or majority owner employ at least 500 persons in Texas?

Yes _____ No _____

Texas Education Code Chapter 22 Contractor Certification for Contractor Employees

Introduction: Texas Education Code Chapter 22 requires entities that contract with school districts to provide services to obtain criminal history record information regarding covered employees. Contractors must certify to the district that they have complied. Covered employees with disqualifying criminal histories are prohibited from serving at a school district.

Definitions: *Covered employees:* Employees of a contractor or subcontractor who have or will have continuing duties related to the service to be performed at the District and have or will have direct contact with students. The District will be the final arbiter of what constitutes direct contact with students.

Disqualifying criminal history: Any conviction or other criminal history information designated by the District, or one of the following offenses, if at the time of the offense, the victim was under 18 or enrolled in a public school:

(a) a felony offense under Title 5, Texas Penal Code; (b) an offense for which a defendant is required to register as a sex offender under Chapter 62, Texas Code of Criminal Procedure; or (c) an equivalent offense under federal law or the laws of another state.

On behalf of _____ ("Contractor"), I certify that

[check one]: None of the employees of Contractor and any subcontractors are *covered employees*, as defined above. If this box is checked, I further certify that Contractor has taken precautions or imposed conditions to ensure that the employees of Contractor and any subcontractor will not become *covered employees*. Contractor will maintain these precautions or conditions throughout the time the contracted services are provided.

Or

Some or all of the employees of Contractor and any subcontractor are *covered employees*. If this box is checked, I further certify that:

(1) Contractor has obtained all required criminal history record information regarding its covered employees. None of the covered employees has a disqualifying criminal history.

(2) If Contractor receives information that a covered employee subsequently has a reported criminal history, Contractor will immediately remove the covered employee from contract duties and notify the District in writing within 3 business days.

(3) Upon request, Contractor will provide the District with the name and any other requested information of covered employees so that the District may obtain criminal history record information on the covered employees.

(4) If the District objects to the assignment of a covered employee on the basis of the covered employee's criminal history record information, Contractor agrees to discontinue using that covered employee to provide services at the District.

Noncompliance or misrepresentation regarding this certification may be grounds for contract termination.

Company name _____

Printed name of Company Representative: _____

Signature _____ Date _____

Clean Air and Water Act Compliance

I, the vendor, follow the Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended and understand that contracts and sub-grants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387) and that violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

Name of
Company _____

Address of
Company _____

Title of Submitting
Official _____

Signature _____

CHOICE OF LAW AND VENUE

All contracts, agreements or any other business affairs with the Crowley Independent School District, Crowley Texas shall be construed according to the laws of the State of Texas and have venue in a court of competent jurisdiction in Tarrant County, Texas.

NON-COLLUSIVE BIDDING CERTIFICATE

By submission of this bid or proposal, the Bidder certifies that:

- a) This bid or proposal has been independently arrived at without collusion with any other Bidder or with any Competitor;
- b) This bid or proposal has not been knowingly disclosed and will not be knowingly disclosed, prior to the opening of bids, or proposals for this project, to any other Bidder, Competitor or potential competitor;
- c) No attempt has been or will be made to induce any other person, partnership or corporation to submit or not to submit a bid or proposal;
- d) The person signing this bid or proposal certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties being applicable to the Bidder as well as to the person signing in its behalf.

Texas Education Code Section 44.034. Notification of Criminal History of Contractor

a) A person or business entity that enters into a contract with a school district must give advance notice to the district if the person or an owner or operator of the business entity has been convicted of a felony. The notice must include a general description of the conduct resulting in the conviction of a felony.

Vendor response (MUST initial): _____ Date: _____ or see attached information

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

c) This section does not apply to a publicly held corporation. Initial if (c) applies _____
If awarded under this document, vendor agrees to be aware and comply, in all relevant respects, with all Federal, State, and Local laws and regulations related to the performance of services or supply of goods to Crowley ISD.

yes _____ no _____

Signature below certifies accuracy of answers to all sections on this page.

Authorized Signature _____ Printed Name _____

Company Name and address _____

Telephone Number _____ Date _____