



## NOTICE TO BIDDERS

Sealed bids will be received by the City of Stephenville, at City Hall, 298 W Washington Street, Stephenville, TX 76401 until 2:00 pm, Wednesday, December 15, 2021, at which time bids duly delivered and submitted, will be considered for:

### **DESIGN-BUILD SERVICES FOR CONSTRUCTION OF A SENIOR CITIZEN CENTER**

Bids should be addressed to Tricia Wortley, Purchasing Manager, 298 W. Washington, Stephenville, TX 76401.

Any bid received after stated closing time will be returned unopened. If bids are sent by mail to the City, the bidder shall be responsible for actual delivery of the bid to the City Secretary before the advertised date and hour for opening of bids. If mail is delayed either in the postal service or in the internal mail system of the City of Stephenville beyond the date and hour set for the bid opening, bids thus delayed will not be considered and will be returned unopened.

Until the final award by the City of Stephenville, said City reserves the right to reject any and/or all bids, to waive technicalities, to re-advertise, to proceed otherwise when the best interest of the City will be realized hereby. Bid award is not solely based on price alone.

**All bids must be submitted on original bid forms.** Any changes to the form or failure to label packaging on the bid, may disqualify it. All packaging on bids (including courier envelope) will be submitted sealed and plainly marked with:

**NAME AND ADDRESS OF BIDDER  
CONSTRUCTION OF A SENIOR CITIZEN CENTER  
RFQ NUMBER 1009**

It is not the intent of the City of Stephenville to offer proprietary specifications, or to eliminate any vendor from bidding by the use of brand names. If brand names are used it is for example only and understood the "or equal" will be accepted.

Bids shall be held firm for a period of 60 days unless otherwise stated in the bid specifications, instructions to bidders, or on the bid sheet.

**PLEASE NOTE THAT MOST COURIER SERVICES DO NOT OFFER BEFORE  
10:30 AM SERVICE TO STEPHENVILLE**

**RFQ 1009**

## STANDARD INSTRUCTIONS TO BIDDERS

Bids that contain any omission, erasures, or alterations, or additions of items not called for in the bid documents, or irregularities of any kind, may or may not be considered.

Deviations from specifications and alternate bids must be clearly shown on the bid form with complete information attached to form. They may or may not be considered.

Upon bidders submitting bids they shall not withdraw or cancel such bids and all sums deposited with such bids will be held by the City of Stephenville until all bids submitted shall have been canvassed and award of contract made, signed and if a performance bonds is required furnished and approved. All sums deposited with bids will then be returned to the respective bidders.

The City of Stephenville, Texas is exempt from State of Texas Sales Tax and a Tax Exemption Certificate shall be furnished by the City of Stephenville, Texas to the successful bidder upon request.

No employee of the City of Stephenville shall have financial interest, direct or indirect, in any contract with the City, or be financially interested, directly or indirectly, in the sale to the City of any land, material, supplies or services.

Discounts: Show rate, total amount, and latest day any discount will be allowed after receipt of article and correct invoice.

This contract is subject to cancellation upon thirty day written notice by the City of Stephenville without cause.

Liquidated Damages: In the event delivery is not made within the stated time period, (without acceptable reasons for delay and written consent from the City) the City reserves the right to place the order with the next available vendor and the awardee shall be liable for any increase in price as liquidated damages, it being agreed that said

sum is a fair and reasonable estimate of actual damages the City will incur. Bidder will not be held liable for failure to make delivery because of strikes; conscription's of property, governmental regulations, acts of God, or any other causes beyond his control; provided an extension of time is obtained from the Division of Purchasing.

Exceptions: Any catalog or manufacturer's reference in this proposal is descriptive, but not restrictive, and is used only to indicate type and grade. Bids on other items of similar and equal quality will be considered, provided the bidder states on the face of this proposal exactly what he intends to furnish, including any variation to the specifications and literature, otherwise he shall be required to furnish the items as specified on the proposal. Any other exceptions to any portions of these terms and conditions or deviations from written specifications shall be shown in writing on the bid document form or attached to bid form.

Quantities: Quantities shown are estimated, based on projected use. It is specifically understood and agreed that these quantities are approximate and any additional quantities will be paid for at the quoted price. It is further understood that the supplier shall not have any claim against the City of Stephenville for quantities less than the estimated amount.

Prices: The bidder should show in the bid document both the unit price and total amount, where required, of each item listed. In the event of error or discrepancy in the mathematics, the unit price shall prevail.

Delivery Date: Bidders shall state delivery date on all order.

F.O.B Point: All prices of item(s) shall be quoted FOB City of Stephenville destination.

## STANDARD INSTRUCTIONS TO BIDDERS

It is desirable that bids are accompanied by two sets of specifications to support items bid. The City of Stephenville reserves the right to determine specification requirements on all items bid.

**Eligible Bidder:** Bidders are limited to those persons or firms qualified and engaged in a full time business and can assume liabilities for any performance or warranty service required.

**Nonresident-Reciprocal Bid Act:** You are advised the City of Stephenville, Texas is bound by House Bill 620. The law provides that in order to be awarded a contract as low bidder, non-resident bidders (out-of-state contractors whose corporate office or principal place of business is outside the State of Texas) bid projects in Texas at an amount lower than the lowest Texas resident bidder by the same amount that a Texas resident bidder would be required to underbid a non-resident bidder in order to obtain a comparable contract in the state in which the non-resident's principal place of business is located. After making that determination you are instructed to advise the Purchasing Department in writing of that fact with a copy of the applicable state statute.

Based on local government code 252.043, the contract will be awarded to the lowest responsible bidder **OR** to the bidder who provides goods or services at the best value for the municipality. Therefore price is not the only consideration in the bid award.

By signing this bid, Vendor hereby certifies that it is not a company identified on the Texas Comptroller's list of companies known to have contracts with, or provide supplies or services to, a foreign organization designated as a Foreign Terrorist Organization by the U.S. Secretary of State. Vendor further certifies and verifies that neither Vendor, nor any affiliate, subsidiary, or parent company of Vendor, if any (the "Vendor Companies"), boycotts Israel, and Vendor agrees that the Vendor and Vendor Companies will not boycott Israel during the term of this Agreement. For purposes of this Agreement, the term "boycott" shall mean and include terminating business activities or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations with Israel, or with a person or entity doing business in Israel or in an Israeli controlled territory.

Please be advised that Stephenville does not receive courier services before 10:30 a.m.



**City of Stephenville**  
298 W. Washington  
Stephenville, Texas 76401

**REQUEST FOR QUALIFICATIONS  
DESIGN-BUILD SERVICES FOR  
CONSTRUCTION OF A SENIOR CITIZEN CENTER**

**RFQ #1009**

**Submittal / Opening Date: December 15, 2021 at 2:00PM**

Questions regarding the preparation of this RFQ shall be submitted in writing to  
Mr. Allen Barnes, City Manager at [abarnes@stephenvilletx.gov](mailto:abarnes@stephenvilletx.gov) or Mr. Jason  
King, Assistant City Manager at [jking@stephenvilletx.gov](mailto:jking@stephenvilletx.gov)

1. **SCOPE:** In accordance with the provisions of Texas Government Code, Chapter 2269, Subchapter G, Building Design-Build Method, in accordance with all applicable federal, state, and local laws, and procedures adopted by the City of Stephenville, City of Stephenville is requesting submittal of qualifications to provide Design-Build services for construction of a new Senior Citizen's Center hereinafter described as City of Stephenville RFQ #1009. The new Center will be located at an address to be determined later, but located near the intersection of Tarleton Street at Vine Street Stephenville, Texas 76401. The successful respondent will be responsible for the development of design plans for the new Senior Center including equipment, materials, permitting, and construction at the above location. The city has available for use in the project the structural steel contained in the old Fastenal Building. The building is expected to be approximately 4,400 square feet of floor space along with parking lot and back patio area. The required contents and limitations for the preparation of the RFQ are described below. Failure to provide the requested information or adhere to any of the City limitation will result in disqualification of the submitted RFQ.
2. **PROJECT OBJECTIVES:**
  - 2.1. Establish a collaborative relationship between the Owner and the Design-Build Team to deliver quality design and construction on time and within the Owner's budget.
  - 2.2. Design and construct a project that will achieve Design Excellence.
  - 2.3. Maintain a safe, injury free work site.
  - 2.4. Minimize impacts to Owner customers through close coordination with the Owner and its customers.
3. **ESTIMATED BUDGET:** The final Senior Citizens Center design and construction must fall within the budget established by the City. This budget will not exceed \$1,000,000.
4. **DEFINITIONS:**
  - 4.1. Business Day: any day on which the Owner is open for regularly conducted business.
  - 4.2. Individual Meetings: The meeting(s) conducted individually between the City of Stephenville and each Short Listed Respondent after the issuance of the RFQ.
  - 4.3. Design-Builder: The entity with the prime design-build contract with City of Stephenville.
  - 4.4. Design-Build Team: All entities listed by the Design-Builder as providing services or construction on the Project. Members of the Design-Build Team may also be referred to as "Team Members."
  - 4.5. Key Team Member: Individuals who will be assigned to the Project who play an important role in the design, construction, or management of the Project.
  - 4.6. Procurement: City of Stephenville's process for selecting a Design-Build Team for this Project.
  - 4.7. Projects of Similar Scope and Complexity: Projects that have many or all of the following characteristics:
    - 4.7.1. Projects of a similar size and budget
    - 4.7.2. Projects that utilize an integrated delivery method that require strong coordination and integration of the design and construction professionals and early involvement of the construction professionals during design;
    - 4.7.3. Projects where the Design-Builder was selected prior to the establishment of the final price and schedule and where the Design-Builder collaborated with the Owner to develop the final price and schedule;

**5. OUTLINE OF THE PROCUREMENT PROCESS:**

**5.1. Request for Qualifications (RFQ)**

- 5.1.1. This RFQ invites firms to submit submittals describing in detail their technical, management, and financial qualifications to design, permit, construct, commission, and close out the Project.
- 5.1.2. Respondents will submit their submittals and other deliverables required pursuant to this Procurement at the time and in the manner set forth in this RFQ and any Addenda. City of Stephenville will not consider submittals and other deliverables that are submitted after the date and time set forth in the RFQ. Respondents are solely responsible for making sure that City of Stephenville receives the submittal in a timely fashion.
- 5.1.3. City of Stephenville will evaluate the information submitted by each Respondent to determine whether the Respondent meets the mandatory minimum requirements and evaluate the submittal provided by each Respondent pursuant to the evaluation system described below. Any Respondent who fails to meet the mandatory minimum requirements set forth in this Procurement will be deemed non-responsive and will not be considered further by City of Stephenville in this Procurement.
- 5.1.4. All submittals will be evaluated in accordance solely with the criteria established in the RFQ and any Addenda issued thereto. The evaluation criteria are listed below, including the relative weight or importance given to each criterion.
- 5.1.5. Design-Build Team Members and individual Key Team Members will be used as a basis for selection. Once shortlisted, neither the Respondent nor Team Members that are submitted to City of Stephenville as part of the submittal or proposal may substitute a listed consultant, subconsultant or subcontractor, or any individual listed as a Key Team Member; however, a change to any submitted Team Member or Key Team Member will result in re-evaluation and may result in a change to the evaluation and ranking of the Respondent.
- 5.1.6. Proposers may submit as many as three proposals. However, each separate proposal must fully conform to the requirements for submission. Proposers must sequentially label (e.g., Proposal #1, Proposal #2) and separately package each proposal. Proposers may submit alternate pricing schedules WITHOUT having to submit multiple proposals.

**6. PROJECT PROCUREMENT SCHEDULE OF EVENTS:** City of Stephenville reserves the right to modify the Project Procurement Schedule of Events via Addenda issued prior to the date set forth below.

<b>Date</b>	<b>Activity</b>
November 24, 2021	Issue RFQ
Nov 27 and Dec 4, 2021	Publish RFQ
December 15, 2021 2:00PM	RFQ Submission Deadline (Post Marked or Delivered)
December 20, 2021	RFQ Review
December 28, 2021	Firm Interviews, if required
January 4, 2022	City Council Selects Firm

## **7. SCOPE OF WORK:**

- 7.1. The building design and architecture shall be prepared and stamped by a design professional licensed by the Texas Board of Architectural Examiners or the Texas Board of Professional Engineers and Land Surveyors. The design shall incorporate the required floor space (approximately 4,400 square feet or more) and infrastructure (mechanical equipment, plumbing, electrical, etc.) for a kitchen and restroom facilities. The facility should be capable of hosting two functions simultaneously.
- 7.2. Once the design is selected by the city, the City shall work with the selected vendor to adjust the design as necessary for the specific site requirements.
- 7.3. The design shall include parking for 25 vehicles and a patio area at the rear of the facility.
- 7.4. The design shall include workspace for staff and a small computer room for public use.
- 7.5. The HVAC system will be designed to condition all areas of the building.
- 7.6. The entire electrical system shall be grounded in accordance with applicable codes.
- 7.7. The construction contract shall include data/telephone outlets and conduits, with pull wire.
- 7.8. The following are work tasks assumed to be necessary to complete this project. It is not intended to be a comprehensive list of all necessary work. Proposers may suggest a modified scope as part of their proposal, as long as the objectives of each item are met:
  - 7.8.1. Meet with City staff and project committee to review the scope of the project, establish design standards, become familiar with the site.
  - 7.8.2. Present in conjunction with City staff during a City Council meeting to present the proposed final design for consideration.
  - 7.8.3. Develop a preliminary and final plan to include conceptual designs and cost estimates for building the Senior Citizens Center. Include both a design and a construction timeline.
  - 7.8.4. Preparation of construction documents and specifications for site layout, utilities, ADA access, grading, structural including any foundations and retaining walls, landscape, lighting, and drainage.
  - 7.8.5. Describe the proposed use of existing available structural steel.
- 7.9. Design Phase Requirements
  - 7.9.1. Site Layout and Plan
  - 7.9.2. Schematic Design
  - 7.9.3. Concept Submittal
  - 7.9.4. Consultation with and Presentation to Staff and Project Committee once Selected
  - 7.9.5. Final Design Presented to City Council
  - 7.9.6. Design Schedule, Submitted Electronically in a City compatible software program.
  - 7.9.7. Sediment Control Plan
  - 7.9.8. ADA Compliant Design

7.9.9. Construction Drawings and Specification Documents

7.9.10 Acquire all approvals and permits

7.10. Construction Phase Requirements

7.10.1. Pre-Construction meeting

7.10.2. Biweekly progress meeting

7.10.3. Construction Schedule, May be submitted Electronically

7.10.4. Utility locate and connection

7.10.5. Silt fencing

7.10.6. Storm water runoff control

7.10.7. Site clearing, grubbing, tree removal, grading, and demolition

7.10.8. Site security

7.10.9. Geo technical testing, soil compaction and concrete testing

7.10.10. Submittals

7.10.11. Scheduling inspections

7.10.12. Construction of all improvements

7.10.13. Construction hours consistent with those allowed by city ordinance

7.10.14. Maintain proper insurance (Professional Liability, Builder's Risk, Bonds, etc.) during the course of the project.

7.11. Specific Senior Center Requirements

7.11.1. All aspects of the building, parking area(s), and patio must be Texas Accessibility Standards compliant as well as ADA Compliant.

7.11.2. Staff Offices should be designed so that staff can keep watch over the facility and its patrons at all times.

7.11.3. Shall provide larger open space for group activities such as dances and public gatherings.

7.11.4. Provide kitchen area and restrooms with capacity appropriate number of fixtures.

7.11.5. Provide cost for an all weather access point to the Bosque River Trail.

**8. RFQ DOCUMENTATION OF REQUIREMENTS:** Respondent submittal shall comply with the following format requirements:

8.1. A total of one (1) original and two (2) copies of the RFQ shall be marked DESIGN/BUILD PROPOSAL.

8.2. The body of the RFQ, when printed, shall be limited to a maximum of 30 bound pages.

8.3. Submittals that exceed the page limit may be rejected. City of Stephenville, at its sole discretion, reserves the right to remove pages from the sections of any non-conforming submittals to bring each non-conforming submittal within the page count requirement.

8.4. The font shall be no smaller than 12 point.

**9. SUBMITTAL CONTENT:** To achieve a uniform review process and obtain the maximum degree of comparability, the proposals shall be organized in the manner specified below. All proposal information shall be presented in a single



bound volume that has been checked sufficiently to ensure completeness and accuracy of detail. Proposals that do not comply with the instructions in this RFP will not be accepted. Items 9.1.5 and 9.1.6 should be separated with either color-coded or tab-type dividers to the information may be quickly located. It is mandatory that the proposal contains the following six (6) items and that it be presented in the following order:

9.1.1. Cover

9.1.2. Title Page

10.1.2.1 Show the RFQ title being proposed on, the name of your firm, address, telephone number(s), name of contact person, and date.

9.1.3. Letter of Transmittal

9.1.3.1. Identify the RFQ project for which the proposal has been prepared.

9.1.3.2. Briefly state your firm's understanding of the service to be performed and make a positive commitment to provide the services as specified.

9.1.3.3. Provide the name(s) of the person(s) authorized to make representations for your firm, their titles, address, and telephone numbers.

9.1.3.4. A corporate officer or other individual who has the authority to bind the firm must sign the letter. The name and title of the individual(s) signing the proposal must be clearly shown immediately below the signature.

9.1.4. Table of Contents

9.1.5. Core Content to Include:

9.1.5.1. Recent Metal Building Design and Installation Experience. Include as a part of your proposal a brief statement concerning the recent relevant experience of the persons from your firm and each sub-consultant who will be actively engaged in the proposed effort. Do not include firm experience unless individuals who will work on this project participated in that experience.

9.1.5.2. Consultant Project Approach/Design and Narrative. At a minimum, the proposal must include a design plan that includes drawings and/or images of each of the elevations and floorplan of the Senior Center. The design plan must also incorporate an accessible pathway to the Bosque River Trail and an appropriate drainage plan. Details, scaling, color, multiple viewpoints, and labeling are appreciated and will help the city to understand the design plan better. The proposal also must include a narrative on the design meets the scope of work.

9.1.5.3. Key Project Personnel. It is recommended personnel have a thorough knowledge and understanding of designing and constructing Metal Buildings. Specific background information on key individuals who will be assigned to the project must be included. The background information on these individuals should emphasize their work experience relative to project requirements, current projects, and availability. The proposed key personnel must be the personnel assigned to the project.

9.1.5.4. Past Project Performance. Past Project Performance Information is to be provided on the firm's performance on past projects (include public projects if applicable), in regards to the project management items identified. Provide the names, addresses, current telephone

numbers, and a brief project description of three past or current clients who are able to comment on aspects of your work relevant to this proposal.

- 9.1.5.5. Detailed Cost Proposal. The proposal should include cost for:
  - 9.1.5.5.1. Design/Management of Senior Center
  - 9.1.5.5.2. Excavation, base material, and concrete for metal building
  - 9.1.5.5.3. Cost savings from use of repurposed structural steel
  - 9.1.5.5.4. Sidewalks connecting the pads
  - 9.1.5.5.5. Miscellaneous (please describe)
- 9.1.5.6. Staff Availability and Capability to Meet Deadlines. The Proposer will be responsible for placing a sign at the site depicting the Senior Center design along with the construction date. The proposer will submit a proposed timeline for design and construction from the designated award date to completion. Please include explanation of any lead-time or supply line issues.
- 9.1.5.7. Warranty. Provide with warranty documents for the building, equipment, and installations, including any conditions and response time for repair and/or replacement of any components during the warranty period.
- 9.1.6. Supporting Attachments. Attach only information pertinent to the project being proposed on that will provide reviewers clear and concise insights into your firm's capabilities.

## **10. SUBMITTAL EVALUATION CRITERIA AND SUBMITTAL INFORMATION:**

A committee of individuals representing the City of Stephenville will evaluate the proposals. The committee will rank the proposals as submitted. The City of Stephenville reserves the right to award contract(s) based solely on the written proposals. The City also reserves the right to request oral interviews. The City reserves the right to request additional questions to be answered during the interviews, to determine which proposers will be interviewed, to determine the format and content of the interviews, and to establish the maximum number of people who may attend the interview from a proposer. The consultant's project manager identified in the proposal will be required to attend a requested interviews. The evaluation system consists of a 100 percentage point system. The RFP will be ranked after evaluation. The submittal evaluation will be based on the following criteria:

- 10.1. Recent Metal Building Experience (30 points)
  - Building Design & Narrative
  - Experience with Similar Projects
  - List of Past Projects References
- 10.2. Previous Experience with City (5 points)
- 10.3. Availability (25 points)
  - Capability on how you will meet schedules & deadlines
  - Current workload and ability to commence various projects
  - Key Project Personnel
  - Warranty
- 10.4. Financial Responsibility, Stability, and Cost Proposal (35 points)

- Years in Business
- Previous Insurance Claims
- Insurance Responsibility
- Cost Proposal

10.5. RFQ Submission Packet and Supporting Documents (5 points)

**11. SOLICITATION SUBMISSION:**

- 11.1. All submittals shall be received and time stamped at City of Stephenville prior to 2:00 P.M. Central Time on the date specified in the Schedule of Events. No submittals shall be accepted once the submittal opening process has begun, notwithstanding acceptable evidence that the delivery of the submittal was the fault of the shipper or the submittal was under agency control at the time of the opening.
- 11.2. Submittals should be placed in a separate envelope/package and correctly identified with your company name, RFQ number, Purchaser's name, and submittal deadline/opening date. If submitting multiple responses, each response should be placed in a separate envelope with correct identification. It is the Respondent's responsibility to appropriately mark and deliver the submittal to City of Stephenville by the specified date.
- 11.3. As a state agency, City of Stephenville will strictly adhere to the requirements of Chapter 552 of the TGC (the "Texas Public Information Act") regarding the disclosure of public information. As a result, by participating in this solicitation process Respondent acknowledges that all information, documentation, and other materials submitted in response to this solicitation may be subject to public disclosure under the Texas Public Information Act. City of Stephenville does not have authority to agree that any information submitted will not be subject to disclosure. Disclosure is governed by the Texas Public Information Act. Respondents are advised to consult with their legal counsel concerning disclosure issues resulting from this process and to take precautions to safeguard trade secrets and proprietary or otherwise confidential information. City of Stephenville assumes no obligation or responsibility relating to the disclosure or nondisclosure of information submitted by Respondents. If it is necessary for Respondent to include trade secrets or proprietary or otherwise confidential information in its submittal, Respondent must clearly mark in bold red letters the term "CONFIDENTIAL" using at least 14-point font, on that specific part or page of the submittal which Respondent believes to be confidential. All submittals and parts of submittals that are not marked confidential will be automatically considered to be public information. Should trade secrets or proprietary or otherwise confidential information be included in the electronic copy, Respondent should mark the medium with the word "CONFIDENTIAL." If City of Stephenville receives a public information request seeking information marked by Respondent as confidential, Respondent will receive notice of the request as required by the Texas Public Information Act. If City of Stephenville receives a public information request for submittals and parts of submittals that are not marked confidential, the information will be disclosed to the public as required by the Texas Public Information Act.

**12. DELIVERY OF SUBMITTALS:** Submittals shall be placed in a sealed envelope indicating its contents are in response to the RFQ for the CONSTRUCTION OF SENIOR CITIZENS CENTER and delivered to City of Stephenville by one of the following methods:

<b>U.S. Postal Service</b>	<b>Overnight/Express Mail</b>	<b>Hand Deliver</b>
City of Stephenville ATTN: Purchasing Dept. RFQ #1009 298 W. Washington Stephenville, TX 76401	City of Stephenville ATTN: Purchasing Dept. RFQ #1009 298 W. Washington Stephenville, TX 76401	City of Stephenville ATTN: Purchasing Dept. RFQ #1009 298 W. Washington Stephenville, TX 76401
Hours – 8:00 AM to 5:00 PM	Hours – 8:00 AM to 5:00 PM	Hours – 8:00 AM to 5:00 PM

**13. RECEIPT OF SUBMITTALS:**

- 13.1. Submittals will be opened at the City Hall, 298 W. Washington, Stephenville, Texas.
- 13.2. Submittals will be received until the date and time established for receipt, then opened.
- 13.3. Telephone, facsimile, or email submittals are not an acceptable response to this RFQ.
- 13.4. All submittals become the property of City of Stephenville after the submittal deadline/opening dates.

**14. EVALUATION AND AWARD:**

- 14.1. The intent of City of Stephenville is to award a contract to the vendor whose qualifications and proposal are considered to provide "best value" to the state. When considering "best value" and award, City of Stephenville reserves the right to set a minimum requirement regarding the criteria listed.
- 14.2. An evaluation committee will be established to evaluate submittals. The committee will include employees of City of Stephenville, and may include other impartial individuals who are not City of Stephenville employees. By submitting qualifications in response to this RFQ, Respondent accepts the solicitation and evaluation process, and acknowledges and accepts that scoring of the qualifications may involve some subjective judgments by the evaluation committee.
- 14.3. In evaluating proposals to determine the best value for the State of Texas, City of Stephenville may consider information related to past contract performance of a Respondent. Prior work performance with City of Stephenville and other State agencies or governmental entities, which are familiar with a Respondent's performance, depending on problems encountered, may be grounds for disqualification.
- 14.4. The City may select one (1) or more firms to provide services based on this evaluation or it may choose to follow up with an interview on December 28, 2021 IF NECESSARY. This process will result in the selection of a firm or firms to provide services. The City reserves the right to reject any and all RFQ's for any reason whatsoever. The City may waive informalities or irregularities in the RFQ's received where such is merely a matter of form and not substance, and the correction or waiver thereof is deemed by the City not prejudicial to other RFQ's.
- 14.5. Selection may be made of one proposer deemed to be fully qualified and best suited among those submitting Proposals on the basis of the evaluation factors included in the RFQ. Negotiations shall be conducted with the proposer so selected. After negotiations have been conducted with selected proposer, the City intends to award the contract to that proposer.
- 14.6. The City may cancel this RFQ or reject Proposals at any time prior to an award, and is not required to furnish a statement of the reasons why a particular proposal was not deemed the most advantageous. Should the

City determine in its sole discretion that only one proposer is fully qualified, or that one proposer is clearly more highly qualified than the others under consideration, a contract may be negotiated and awarded to that proposer. The award document will be a contract incorporating by reference all the requirements, terms and conditions of the solicitation and the contractor's proposal as negotiated.

- 14.7. After the selection of the most qualified firm scope of services and billing rates will be negotiated and used as attachments in the final contract. This Agreement will then be submitted to the City Council for approval.
- 14.8. The City reserves the right to accept one or more submittals or reject any or all submittals received in response to this RFQ. The City may waive informalities and irregularities in the submittals received. The City also reserves the right to terminate this RFP, and reissue a subsequent solicitation, and/or remedy technical errors in the RFQ process.

**15. City of Stephenville RIGHTS AND PROCUREMENT CONDITIONS:** City of Stephenville reserves without limitation, and may exercise at its sole discretion, the following rights and conditions with regard to this Procurement process:

- 15.1. To cancel the procurement process and reject any and all submittals and/or proposals;
- 15.2. To waive any informality or irregularity;
- 15.3. To revise the procurement documents and Schedule via an Addendum;
- 15.4. To reject any Respondent that submits an incomplete or inadequate response or is not responsive to the requirements of this RFQ;
- 15.5. To require confirmation of information furnished by a Respondent, require additional information from a Respondent concerning its submittal or proposal and require additional evidence of qualifications to perform the work described in this RFQ;
- 15.6. To provide clarifications or conduct discussions, at any time, with one or more Respondents;
- 15.7. To contact references who are not listed in the Respondent's submittal and investigate statements on the submittal and/or qualification of the Respondent and any firms or individuals identified in the submittal;
- 15.8. To consider Alternative Technical Concepts and/or approaches identified by Respondents;
- 15.9. To take any action affecting the RFQ process, or the Project that is determined to be in City of Stephenville's best interests; and
- 15.10. Approve or disapprove of the use of particular Subconsultants, Subcontractors, or Key Team Members and/or substitutions and/or changes to Subconsultants, Subcontractors, or Key Team Members from those identified in the submittal or proposal. Such approval or disapproval shall not be unreasonably exercised.

**16. RIGHT TO AUDIT:** Vendor understands that acceptance of funds under this contract acts as acceptance of the authority of the State Auditor's Office, City of Stephenville, or any successor agency to conduct an audit or investigation in connection with those funds. Vendor further agrees to cooperate fully with the above parties in the conduct of the audit or investigation, including providing all records requested. Vendor shall ensure that this clause concerning the authority to audit funds received indirectly by subcontractors through the vendor and the requirement to cooperate is included in any subcontract awarded.