

## Entertainment Venue Construction Project

### INVITATION TO BID

ISSUE DATE: March 31, 2016

BIDS DUE: **2:00 P.M.** on **May 6, 2016** (the "Submission Deadline")

INSTRUCTIONS: Submit one completed Bid Form, Reference Form, insurance certificate and critical path schedule in a sealed envelope marked "Entertainment Venue Construction Project." Bids must be received by mail or personal delivery no later than the Submission Deadline at the following address: Houston First Corporation, Attn: Lisa Hargrove, General Counsel, 1331 Lamar St., 7th Fl., Houston, TX 77010.

CONTACT INFO: Any questions concerning this Invitation to Bid must be sent by e-mail to [bids@houstonfirst.com](mailto:bids@houstonfirst.com) no later than **11:00 A.M.** on **April 28, 2016**. Questions will be answered collectively in the form of a Letter of Clarification and posted online.

Houston First Corporation ("HFC") requests bids from experienced general contractors capable of timely and cost-effective construction of an approximate 12,000 square foot building, stage, surface parking and other facilities intended for use as an entertainment venue on a tract of land (the "Land") located immediately south of the George R. Brown Convention Center in downtown Houston, Texas ("Project").

Work on the Project is to expected to begin on June 1, 2016 and must be completed within **150 calendar days**.

**BID PACKAGE.** A copy of this Invitation to Bid, including necessary forms and other information, is available on-line at [www.houstonfirst.com/Do-Business](http://www.houstonfirst.com/Do-Business). Availability of the construction contract, general conditions, drawings and specifications will be discussed at the pre-bid meeting.

**BACKGROUND.** HFC is a local government corporation created by the City of Houston to facilitate economic growth through the business of conventions and the arts. HFC is responsible for management and operation of more than ten city-owned buildings and plazas, and underground and surface parking for nearly 7,000 vehicles. Facilities include the George R. Brown Convention Center, Jones Hall, Wortham Theater, Miller Outdoor Theatre, Talento Bilingue de Houston, and certain outdoor facilities such as Jones Plaza, Sesquicentennial Park, Ray C. Fish Plaza, Root Memorial Square, and several other small landscaped properties.

**PRE-BID CONFERENCE.** A pre-bid conference will be held for all prospective bidders at **10:00 a.m.** on **April 12, 2016** in **Meeting Room 381** located on the third floor of the George R. Brown Convention Center, located at 1001 Avenida de las Americas, Houston, Texas 77010. A site walkthrough will be conducted after the meeting. All bidders are urged to be present and, due to ongoing construction in the area, are advised to arrive early.

**LETTERS OF CLARIFICATION.** Any revisions to be incorporated into this Invitation to Bid will be confirmed in a written letter to all potential respondents ("Letter of Clarification") prior to the Submission Deadline. When issued by HFC, Letter(s) of Clarification shall automatically become part of this Invitation to Bid and shall supersede any previous specifications or provisions in conflict therewith. By submitting a bid, bidders shall be deemed to have received all Letters of Clarification and to have incorporated them into their bid. Verbal responses will not otherwise alter the specifications, terms and conditions as stated herein. It is the

responsibility of each bidder to monitor [www.houstonfirst.com/Do-Business](http://www.houstonfirst.com/Do-Business) to ensure they receive any such Letter(s) of Clarification.

**QUALIFICATIONS.** To be qualified for this Project, Bidders must: (i) have ten years of construction experience and be in good standing in their state of incorporation; (ii) have completed a comparable construction project, including a commercial-grade restaurant kitchen, within the last two years; (iii) demonstrate to HFC that they can complete the Project within the 150 calendar days; (iv) be able to submit the payment and performance bonds within seven business days of notice of selection; and (v) submit a bid that includes all of the requirements listed in Contents of Bid set forth below.

**MANNER OF SELECTION.** HFC intends to accept the lowest responsible bid and award a contract for the Project; provided, however, that HFC reserves the right to reject all bids, waive minor technicalities, and select one or more bidders in the manner and to the extent that they serve the best interests of HFC. Bids received will be opened and read aloud at 2:30 P.M. on the date of the Submission Deadline in the O'Connell conference room located at 1331 Lamar St., 7th Fl., Houston, TX 77010.

**FORM OF AGREEMENT.** By submitting a response to this solicitation, bidders agree, upon notice of selection by HFC, to enter into a construction contract without revision.

**DIVERSITY COMMITMENT.** The bidder selected will be required to use good faith efforts to award subcontracts to diversity participants certified by any of the identified certification agencies as defined in the HFC Diversity Program (See [www.houstonfirst.com/Do-Business](http://www.houstonfirst.com/Do-Business)). The specific goal for this Project is **33%** of the total value of the contract. Bidders shall be required to comply with the HFC Diversity Program and failure to comply may cause your response to be considered non-responsive. Bidders should note if they are certified as a diversity participant in their submittal; however, such certification shall NOT lessen or otherwise alter the requirement to use good faith efforts to award subcontracts to diversity participants.

**PREVAILING WAGE REQUIREMENT.** The bidder selected shall be required to comply with governing statutes providing for labor classification of wage scales for each craft or type of laborer, worker, or mechanic. Prevailing wage rates applicable to the work for this Project may be one or a combination of the following wage rates identified at [www.houstonfirst.com/Do-business](http://www.houstonfirst.com/Do-business).

**NO SALES TAX.** Each bidder should assume that there will be no sales taxes due for the purchase of materials incorporated into the work.

**RESTRICTIONS ON COMMUNICATIONS.** From the date issued until the Submission Deadline, bidders are directed not to communicate with any HFC employee or director regarding any matter relating to this solicitation, other than through [bids@houstonfirst.com](mailto:bids@houstonfirst.com) or during the pre-bid conference. HFC reserves the right to reject any bid due to violation of this provision.

**PUBLIC INFORMATION.** As HFC is subject to the Texas Public Information Act ("TPIA"), all information submitted by bidders is subject to release under the provisions of the TPIA set forth in Chapter 552 of the Texas Government Code. Each page where confidential or proprietary information appears must be labeled as such clearly and unambiguously. Bidders will be advised of any request for public information that implicates their materials and will have the opportunity to raise objections to disclosure with the Texas Attorney General at their cost and expense.

**CONFLICTS OF INTEREST.** Bidders are advised that they have an obligation to disclose any affiliation or business relationship that might cause a conflict of interest with HFC. Bidders who need the disclosure form may find it online at: <http://www.ethics.state.tx.us/forms/CIQ.pdf>. By submitting a proposal, Bidders represent that they are in compliance with the requirements of Chapter 176 of the Texas Local Government Code.

**WITHDRAWAL; ERROR.** Bids may be withdrawn due to errors or for any other reason only by a written request received by [bids@houstonfirst.com](mailto:bids@houstonfirst.com) prior to the Submission Deadline.

**BONDS AND INSURANCE.** Without limiting the selected bidder's obligation to comply with all of the terms and provisions of the construction contract, the bidder selected shall be required to execute a statutory payment bond and a performance bond on forms approved by HFC. A bid bond is not required for this Project.

**CONTENTS OF BID.** Each bid must include all of the following:

- (a) A completed and signed Bid Form (the form is attached).
- (b) A completed Reference Form (the form is attached).
- (c) A certificate of insurance.
- (d) A critical path schedule that supports the completion of the Project within the 150 calendar days and identify average hours per week bidder expects to work.
- (e) Diversity certifications for subcontractors evidencing bidder's good faith efforts to meet the 33% Diversity Goal.
- (f) Provide proposed value engineering items, if any.

**REFERENCE FORM**

Bidders must be able to demonstrate that they have performed services comparable in size and scope to those described in this Bid. Three references should be provided in the space provided below.

**Company/Bidder Name:** \_\_\_\_\_ **Years in Business:** \_\_\_\_\_

**Reference #1**

Business Name: \_\_\_\_\_

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

Contact Name/Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email address: \_\_\_\_\_

Description of Services \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Reference #2**

Business Name: \_\_\_\_\_

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

Contact Name/Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email address: \_\_\_\_\_

Description of Services: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Reference #3**

Business Name: \_\_\_\_\_

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

Contact Name/Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email address: \_\_\_\_\_

Description of Services: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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### BID FORM

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### DESCRIPTION

Furnish all tools, materials, supplies, equipment, transportation, labor, supervision, insurance, bonds, and work necessary to complete the Entertainment Venue Construction Project in the manner and to the extent required under the the construction contract, general conditions, drawings and specifications .

**TOTAL BID:** \$

### A. NAME AND INFORMATION

Contractor Name: \_\_\_\_\_

Contact Name/Title: \_\_\_\_\_

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

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

### B. GENERAL BID TERMS AND REPRESENTATIONS

- Submission of a bid is an offer to contract with Houston First Corporation
- Bid will remain valid for 90 days from the Submission Deadline
- Bidder is prepared to deliver statutory payment and performance bonds upon 7 days' notice of selection
- Bidder is prepared to commence work on June 1, 2016 and can complete the work with 150 calendar days, subject only to extension of time permitted under the Construction Contract.

### C. ACKNOWLEDGMENT

By signing below, Contractor represents that all statements made herein by Contractor are true and correct and may be relied upon by Houston First Corporation.

\_\_\_\_\_ ("Contractor")

By: \_\_\_\_\_

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

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

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