



DATE: October 13, 2017
SUBJECT: Letter of Clarification
RE: Project Management Services RFP
TO: All Prospective Proposers

Houston First Corporation (“HFC”) issues this Letter of Clarification regarding the Project Management Services RFP to extend the deadline for submission of proposals, provide additional information, and answer questions timely received.

RFP Revisions and Clarifications

A. The **Due Date** for submission of proposals, as noted in the preamble to the RFP, is hereby extended as follows:

11:00 a.m. on October 26 19, 2017 (“Submission Deadline”)

B. The deadline for submission of questions concerning this RFP, as noted in the “**Contact Info**” portion of the preamble to the RFP, is extended as follows:

Questions concerning this RFP must be sent by e-mail to bids@houstonfirst.com no later than **11:00 a.m. on October 19 12, 2017**. Questions will be answered collectively, in the form of a Letter of Clarification, and made available online.

C. The last sentence of the third paragraph of the “**Overview**” section of the RFP is amended and restated as follows:

The rough order of magnitude for the reconstruction phase, including ongoing emergency services underway as of October 5, 2017, is estimated at ~~45-50~~ **40-45** million dollars.

D. The fourth paragraph of the “**Overview**” section of the RFP is amended and restated as follows:

Potential proposers are advised that the contract resulting from the RFP will be a **project management professional** services contract. This RFP is not for construction work. **Proposers acknowledge that Federal Emergency Management Agency (“FEMA”) financial reimbursement assistance will be used to support the contract resulting from this RFP. The proposer selected as a result of this process shall be required to comply with all applicable Federal laws, regulations, executive orders, and FEMA requirements.**

E. Subsection “d” of the “**Proposal Format**” section of the RFP, titled “**Pricing**” is hereby deleted in its entirety and replaced with the following provision:

- **Proposers must provide a current hourly rate service schedule for their project team, including all personnel expected to provide services for HFC.**
- **Salaries and other employment costs of the project manager’s personnel, overhead, other general/administrative costs, and the cost of insurance required to be maintained must be included in such rates.**

- The proposer selected will be reimbursed for the actual amount of reasonable expenses incurred in the performance of contractual services for HFC to the extent such expenses are approved in advance and in writing by HFC.
- Subcontracts for estimators, schedulers, payment-application reviewers, document controllers and, subject to mutual agreement, other project consultants also constitute at-cost reimbursable expenses, provided that the selection process is approved in advance by HFC.
- HFC intends to negotiate a not-to-exceed amount with the top-ranked proposer(s) for the eight-month period based on the foregoing. The finalist representing the best value to HFC will be selected.

F. The “**Evaluation**” section of the RFP is amended and restated as follows:

HFC will review and rank every proposal received in response to this RFP based on the following weighted criteria: Transmittal Letter (15%); Project Team (~~35%~~ ~~25%~~); Experience (~~25%~~ ~~30%~~); Pricing (~~15%~~ ~~25%~~); and Diversity (10%). HFC reserves the right to select or reject all or part of any proposal, waive minor technicalities, and select proposals in the manner and to the extent that they serve the best interests of HFC. This RFP does not commit HFC to award a contract, issue a purchase order, or to pay any costs incurred in the preparation of a proposal in response to this RFP. HFC reserves the right to request oral interviews, proposal clarifications/additional information, and/or best-and-final offers from some or all proposers prior to making a final selection. **In awarding the contract on a ‘best value’ basis, HFC reserves the right to award the contract to other than the lowest price proposer.**

G. The “**Pre-Proposal Conference**” section of the RFP is hereby deleted in its entirety and replaced with the following provision:

- A tour of Wortham Theater Center and the Theater District Parking Garages will be held for the benefit of all prospective proposers at **9:00 a.m. on October 16, 2017**. Proposers should meet at Fish Plaza under the tent located at 501 Texas Ave., Houston, Texas 77002 (between Bagby and Smith Streets). As remediation work is ongoing, proposers are directed to wear appropriate apparel for a construction jobsite, including close-toed shoes, and will need to climb stairs. The on-site emergency remediation contractor reserves the right to require signature of a comprehensive release form prior to allowing access. PPE (disposable masks) will be provided.
- A pre-proposal conference will be held on **October 16, 2017** at approximately 11:00 a.m. in the O’Connell Board Room on the third floor of the George R. Brown Convention Center, located at 1001 Avenida de las Americas, Houston, Texas 77010. All potential proposers are urged to be present.

H. The “**Project Management Services Material Contract Terms & Conditions**” section in Exhibit “A” to the RFP titled “**Environmental Compliance**” is hereby amended and restated as follows:

Contractor shall comply with all applicable standards, orders, or regulations issued pursuant to the Clean Air Act (42 U.S.C. § 7401 et seq.) and the Federal Water Pollution Control Act as amended (33 U.S.C. § 1251 et seq.). Contractor shall report all violations to **HFC, and understands and agrees that HFC will, in turn, report each violation as required to assure notification** to the Texas Division of Emergency Management, FEMA, and the **appropriate** regional office of the Environmental Protection Agency. Contractor shall comply with the mandatory standards and policies relating to energy efficiency which are contained in the state

energy conservation plan issued in compliance with the Energy Policy and Conservation Act (42 U.S.C. §6201 et. seq.). Contractor shall include the requirements of this section in each subcontract exceeding \$150,000.

I. The “**Project Management Services Material Contract Terms & Conditions**” section in Exhibit “A” to the RFP titled “**Copeland Anti-Kickback Act**” is hereby deleted in its entirety.

Project Questions and Answers

Question 1: What types of construction work will be managed by the project manager selected as a result of this RFP?

Answer: HFC anticipates that substantive construction work will include electrical, HVAC, building automation/control, wood stage, millwork/finish carpentry, waterproofing/caulking, glass/mirrors, painting/wall covering, striping, elevators, drywall, plaster, tilework (ceramic, vinyl, stone and terrazzo), acoustical wall panels, and doors (including frames and hardware).

Question 2: Will additional FEMA regulations apply to the contract resulting from this RFP?

Answer: Yes. In addition to the Project Management Services Material Contract Terms and Conditions set forth in Exhibit “A” of the RFP, the proposer selected shall be required to comply with all Federal laws, regulations, executive orders, and FEMA requirements. The resulting contract shall include, by way of example and not limitation, the Contract Work Hours and Safety Standards Act; Administrative Remedies for False Claims and Statements (See 31 U.S.C. Chap. 38); the Byrd Anti-Lobbying Amendment (See 31 U.S.C. § 1352); and the EPA’s Comprehensive Procurement Guidelines, so as to ensure the maximum use of products containing recovered materials that are EPA-designated items. The contractor selected shall not use the Department of Homeland Security (“DHS”) seal(s), logos, crests, or reproductions of flags or likenesses of DHS agency officials without specific FEMA pre-approval. Additionally, the contractor selected shall acknowledge that the Federal Government is not a party to this resulting contract and is not subject to any obligations or liabilities to HFC, the contractor, or any other party pertaining to any matter resulting from the resulting contract.

Question 3: How many Project Team members does HFC expect proposers to provide?

Answer: HFC envisions a minimal, experienced Project Team equating to two full-time positions for the duration of the eight-month term.

Question 4: Will HFC provide office space for the Project Team?

Answer: Office space will not be provided; HFC will, however, make meeting space at one or more of its operable facilities as needed. Note that jobsite trailers are not necessary to perform services under this RFP.

Question 5: How many meetings are needed with HFC, City of Houston officials, and their contractors?

Answer: Regular, in-person meetings are an essential element of the project management services required by HFC. HFC anticipates 5-8 meetings per week.

Question 6: What is the anticipated start date of project management services?

Answer: Services are to begin immediately upon signature of the agreement; ideally before the end of October 2017.

Question 7: How was the eight month schedule determined?

Answer: The anticipated eight-month schedule was based primarily on post-disaster assessment by HFC and the emergency remediation contractor.

Question 8: Have project worksheets been finalized and submitted to FEMA?

Answer: No.

Question 9: Does HFC expect to engage a separate construction manager, or will construction work be done as individual contracts?

Answer: HFC does not intend to engage a construction manager. The proposer selected as a result of this RFP is expected to manage resulting construction contracts, in cooperation with HFC.

Question 10: Is Gilbane Reconstruction Services, the emergency remediation contractor, excluded from participation in this RFP?

Answer: Yes.

Question 11: Will the proposer selected (and subcontractors of the proposer selected) be excluded from bidding on reconstruction work?

Answer: Yes.

Question 12: How many architectural and engineering contracts will the proposer selected be required to manage?

Answer: HFC anticipates retaining the services of one architectural services firm and two-to-three engineering contracts/subcontracts. While the project manager will assist HFC in the administration of such contracts, it will not be a signatory.

Question 13: Can you clarify the reference in the proposed scope to “other tasks and matters reasonably related to the foregoing”?

Answer: The reference is intended to capture incidental tasks directly and substantially related to the core services enumerated in the scope. HFC acknowledges that material changes to the scope would require a signed amendment and additional fees.

Question 14: Is cost estimation required for each individual construction trade?

Answer: HFC anticipates that most construction services will require some form of cost estimation services.

Question 15: How many individual projects will the proposer selected be responsible for managing for HFC?

Answer: HFC would prefer one construction contract for the reconstruction of Wortham Theater Center and the Theater District Parking Garages, although a specific agreement for each facility is foreseeable. HFC envisions that the project manager will inform the process.

Question 16: Does the 8-month term for project-management services roughly equate to the anticipated schedule for reconstruction?

Answer: Yes, to the best of HFC's knowledge.

Question 17: Is managing the emergency remediation work already completed by Gilbane Reconstruction Services fall under this scope of work?

Answer: No.

Question 18: Has HFC selected a contractor for construction work relating to this RFP?

Answer: No.

Question 19: Has there been work performed to date on any of the scope items listed in the RFP that would require proposers to adjust their estimated number of work hours?

Answer: No.

Question 20: Will cost estimating be led by the project manager with support from HFC?

Answer: Yes.

Question 21: Is the project manager expected to be on-site at all times while construction activities are ongoing?

Answer: No.

Question 22: Is experience with FEMA reimbursement required to propose?

Answer: No, although proposers should have significant experience with technical writing in the explanation and documentation of construction work.

Question 23: Is the expectation for the project manager to manage the closeout process or just document the punch-list requirements?

Answer: HFC expects the project manager selected to assist with punch-list and closeout during the eight-month term.

Question 24: Is funding for project management services contingent on FEMA approval or insurance proceeds?

Answer: No.

Question 25: Will a pre-construction timeline or schedule be provided?

Answer: No.

Question 26: Is the project manager expected to engage a value-engineering facilitator and panel of subject matter experts?

Answer: No. HFC envisions utilizing the exiting expertise of the project management team selected.

Question 27: Is long-term mitigation included in the scope of services for this RFP?

Answer: No, although long-term mitigation may be issued in a separate solicitation.

Question 28: Are the facilities free of EPA-established health and safety hazards?

Answer: To the best of our knowledge, the facilities will be free of material health and safety hazards.

Question 29: If the rough order of magnitude is 45-50 million, then what is the anticipated program cost?

Answer: HFC anticipates that the program cost will be within a reasonable, acceptable range of the rough order of magnitude.

Question 30: If the proposer is certified as a MWBE or HUB, does that count toward the 30% diversity goal for this RFP?

Answer: No. Proposers should note if they are certified as a diversity participant in their proposal; however, such certification shall not lessen or otherwise alter the requirement to use good faith efforts to award subcontracts to diversity participants.

Question 31: Does HFC require use of any specific project-management software programs?

Answer: No.

Question 32: Will multiple project managers be selected as a result of this RFP?

Answer: No.

Question 33: Can a project manager provide all services with in-house resources and still achieve the Diversity Goal?

Answer: No.

Question 34: Does HFC recognize Historically Underutilized Businesses certified by the State of Texas for diversity purposes?

Answer: Yes.

Question 35: What factors are evaluated in the weighted criteria for diversity?

Answer: HFC will evaluate whether a proposer has made good faith efforts to engage certified diverse subcontractors or suppliers. For additional information, please review the HFC Diversity Program instructions at <http://www.houstonfirst.com/do-business/>.

When issued, Letters of Clarification automatically become a part of the RFP and supersede any previous specifications and/or provisions in conflict therewith. By submitting a proposal, proposers shall be deemed to have received all Letters of Clarification and to have incorporated them into their proposal.