

**Invitation for Qualifications
Housing Disaster Recovery Program
City of Galveston, Texas**

RFQ # 09-10-004

Date: March 1, 2010

Open: Friday, March 19, 2010, 3:00pm

Sealed qualifications, prepared with **one original and five (5) copies** addressed to the Purchasing Supervisor, City Hall, room 302, 823 Rosenberg, Galveston, Texas 77550, will be received until **3:00pm, Friday, March 19, 2010** and opened immediately in that office in the presence of the City's auditor or a witness from the Finance Department and the Purchasing Supervisor. Any submission received after **3:00pm** on the date specified will be returned unopened, for the following project.

RFQ # 09-10-004

The City of Galveston is seeking sealed qualifications for rehabilitation and / or reconstruction of homes as part of the Housing Disaster Recovery Program for the Grants and Housing Department.

Qualifications package

The Request for Qualifications including Sections 1.0 and 2.0, Qualification Sheet and Attachments are all considered part of the bid package. Qualifications must be submitted on the forms provided by the City, including the Qualification Sheet completed in its entirety and signed by an authorized representative by original signature. Failure to complete and sign the qualification sheet/contract page(s) will disqualify the submittal from being considered by City Council. Any individual signing in behalf of the submitter expressly affirms that he/she is duly authorized to tender the qualifications and to sign the Qualifications Sheet/contract under the terms and conditions in this proposal. Submitter further understands that the signing of the contract shall be of no consequence unless the qualifications are subsequently awarded and the contract properly executed by City Council.

Note: qualifications must be submitted on the forms provided herein. The qualifications sheet, tax statement, nepotism statement and non-collusion statement must be completed, signed and witnessed as required.

Envelopes will be sealed and marked with the Request for Qualification number and opening time on the outside bottom left corner to avoid the opening before the prescribed time.

Qualifications sent by facsimile (fax) machine shall be rejected as being non-responsive specifications.

Documents may be examined without charge at the office of the Purchasing Supervisor at the above address.

Any questions regarding procurement procedures should be addressed to Kevin Scott, Purchasing Supervisor, at the address above or by calling (409) 797-3574.

Any questions concerning the specifications should be addressed to Sterling Patrick, whose phone number is (409) 797-3820

Pre-submittal Conference

The City of Galveston will be conducting a MANDATORY pre-submittal conference for all contractors interested in submitting qualifications; attendance is MANDATORY. **Location will be: Galveston Island Convention Center, 5600 Seawall Blvd., Galveston, TX. Date and Time: March 10, 2010, 2:00 p.m.**

Restrictive or ambiguous specifications

It is the responsibility of the prospective submitter to review the entire packet and to notify the Purchasing Office if the prequalification package is formulated in a manner that would restrict competition or appear ambiguous. Any such protest or question(s) regarding the specifications or procedures must be received in the Purchasing Office not less than seventy-two hours prior to the submission deadline. Submitters are to respond as specified herein.

Modification of qualifications

A submitter may modify a response by letter at any time prior to the submission deadline. The modification letter must be received prior to the submission deadline. Alterations made before opening time must be initialed by the submitter guaranteeing authenticity. Qualifications may not be amended or altered after the official opening with the single exception that any supporting data required will be accepted at any time prior to City Council's consideration of the response.

Award of contract

By submitting qualifications, the submitter agrees that if their submission is accepted by City Council, they will participate in the Request for Proposal process for rehabilitation and / or reconstruction contracts to be issued by the City of Galveston and within their limits of capacity to perform.

Responsibility

The City must decide whether or not the responder has the strengths to be granted status as a Prequalified Contractor. Certain criteria must be met such as: financial stability, capability and capacity. History of past litigation due to lack of performance may be considered but not necessarily used as a determining factor. Evaluation criteria is described in Section 2.1 of this RFQ.

The status of Prequalified Contractor will be assigned to the submitters who are determined to have the ability to fulfill the requirements as set out in the specifications.

Contract term

The term of the resultant contract will begin on the date of execution by City Council and will terminate on the date specified in the resultant contract unless terminated earlier as herein set forth.

Re-appropriation of Budget Items

The City may reduce the funds allocated and the services required under this program at its discretion. The City shall notify responder in writing of this reduction. Responder shall not perform any services subtracted from an Agreement signed under this program. The de-obligation of funds does not require any formal amendment of this Agreement but shall be evidenced by a revised budget approved by City Council.

Force Majeure

If by reason of Force Majeure either party shall be rendered unable, wholly or in part, to carry out its responsibilities under this contract by any occurrence by reason of Force Majeure, then the party unable to carry out its responsibility shall give the other party notice and full particulars of such

Force Majeure in writing within a reasonable time after the occurrence of the event, and such notice shall suspend the party's responsibility for the continuance of the Forced Majeure claimed, but for no longer period.

Force Majeure means acts of God, floods, hurricanes, tropical storms, tornadoes, earthquakes, or other natural disasters, acts of public enemy, acts of terrorism, sovereign conduct, riots, civil commotion, strikes or lockouts, and other causes that are not occasioned by either Party's conduct which by the exercise of due diligence the party is unable to overcome and which substantially interferes with operations.

No commitment by the City of Galveston

This Request for Qualifications does not commit the City of Galveston to award any costs or pay any costs, or to award any contract, or to pay any costs associated with or incurred in the preparation of a submission to this request, or to procure or contract for services or supplies.

Change Orders, as per Texas Local Government Code section 252.048

- (a) If Changes in plans or specifications are necessary after the performance of the contract is begun or if it is necessary to decrease or increase the quantity of work to be performed, the governing body of the municipality may approve change orders making the changes.
- (b) The total contract price may not be increased because of the changes unless additional money for increased costs is appropriated for that purpose from available funds or is provided for by the authorization of the issuance of time warrants.
- (c) If a change order involves a decrease or an increase of \$15,000 or less, the governing body may grant general authority to an administrative official of the municipality to approve the change order.
- (d) The original contract price may not be increased under this section by more than 25 percent. The original contract price may not be decreased under this section by more than 25 percent without the consent of the contractor.

Appropriation of Funds

The City of Galveston may establish an appropriation (allocation) of funds for this project, if in the event that appropriated (allocated) funds are exhausted, the responder's only remedy shall be suspension or termination of its performance under this project and shall have no other remedy in law or in equity against the City and no right to damages of any kind.

Confidentiality of information in qualification

Pursuant to State law, qualifications shall be opened in a manner that avoids disclosure of the contents to competing offerors and keeps them secret during evaluation. All qualifications are open for public inspection after the Prequalification List is accepted, but trade secrets and confidential information in the qualifications are not open for public inspection.

Exception to qualifications

The submitter will list on a separate sheet of paper any exceptions to the conditions of the qualifications. This sheet will be labeled, "Exceptions to qualifications conditions", and will be attached. If no exceptions are stated, it will be understood that all general and specific conditions will be complied with, without exception.

Changes in specifications

If it becomes necessary to revise any part of this Request for Qualifications, a written notice of such revision will be provided to all submitters. The City is not bound by any oral representation(s), clarification(s), or changes made in the written specifications by the City's employees, unless such clarification or change is provided to submitters in a written addendum from the Purchasing Supervisor.

Protest

Any actual or prospective submitter who is allegedly involved with the solicitation or award may protest. The protest must be submitted in writing to the City of Galveston's Purchasing Supervisor within three working days after such aggrieved person knows of, or should have known of the facts giving rise thereto. If the protest is not resolved by mutual agreement, the Purchasing Supervisor will promptly issue a decision in writing to the protesting party.

All protest lodged by potential or actual responders must be made in writing and contain the following information:

- 1 Name, address and telephone number of the protestor.
- 2 Identification of the solicitation or contract number and time.
- 3 A detailed statement of the protest's legal and factual grounds, including copies of relevant documents.
- 4 Identification of the issue (s) to be resolved and statement of what relief is requested.
- 5 Arguments and authorities in support of the protest.
- 6 A statement that copies of the protest have been mailed or delivered to all interested parties in the invitation to bid or request for proposals process. In the case of request for qualifications, the City of Galveston Purchasing Supervisor shall ask the protester to mail or deliver the protest to relevant parties.

The City of Galveston's City Manager has the authority to render the final determination regarding the protest. Any determination rendered by the City of Galveston will be final.

Proof of insurance

The successful submitter agrees to maintain certain types of insurance protection throughout the duration of the project. All insurance policies are to be issued by an insurance company authorized to do business in the State of Texas, using an insurance company with an A.M. Best rating of a 5 or better. Specific details of coverage limits and conditions are to be followed as listed below. Any variance from these requirements must be denoted in writing and included as exceptions to the qualifications specifications. Actual proof of insurance will be required on signing a construction contract issued under this program.

Required insurance

Commercial general liability insurance, naming the City of Galveston as an additional insured and as certificate holder, and waiving subrogation per the contractual requirements of this project. Limits are to be equal to or greater than:

- \$2,000,000** general liability (includes products and personal, etc.)
- \$1,000,000** fire damage
- \$1,000,000** automobile damage
- \$500,000** workers compensation employers' liability
- Statutory limits** for workers compensation

Insurance coverage shall be on an “occurrence basis”

Pursuant to Sec. 2-341 of the City Code, the City has made the following Declaration of policy

It is the policy of the City of Galveston to stimulate growth of local minority and women-owned business enterprise (M/WBE) by encouraging their participation in all phases of its contract and procurement activity and by affording them the opportunity to compete for all City of Galveston contracts. The purpose and objectives of this article are to:

1. Increase the capacity of local M/WBE's to provide products and services.
2. Increase the opportunities for local M/WBE's to expand their business with the city and other public and private sector business entities. Provided, however, nothing herein shall require the city to award contracts for services or procurements to a M/WBE which is not also the lowest responsive and responsible proposer and otherwise qualified unless the city may otherwise lawfully award the contract to someone other than the lowest responsive, responsible submitter.

Additionally the City of Galveston has a Disadvantaged Business Enterprise, (DBE) program mandated by the US Department of Transportation, which is part of its M/WBE program.

Additionally, the City of Galveston is encouraging that General Contractors make use of Local Vendors, Suppliers and Subcontractors. The City Council has established a goal for the project in use of local vendors, suppliers, and subcontractors, inclusive of M/WBE and Section 3 Contractors and Vendors. The goal is a minimum of 40% of the total value of the work awarded in an individual contract be assigned to Local Vendors, Suppliers, Subcontractors, Section 3, and M/WBE firms. A Local Vendor, Supplier or Subcontractor is defined as having a Primary business location on September 13, 2008. Proof must be established through County tax records of personal or business residence in the Galveston Island or Galveston County (as applicable) or lease agreement for office location on affected date. Proof may also be established by a Local Vendor, Supplier or Subcontractor if their business has been located in Galveston Island or County (as applicable) since September 13, 2008 and have a lease with at least a two year commitment in the local area from the date of this RFQ.

The 40% goal for Local Vendors, Suppliers and Subcontractors is to be further distinguished by using a minimum 25% from the Galveston Island and 15% from Galveston County. If more than 25% of Local Vendors, Suppliers and Subcontractors are used from Galveston Island, then a lesser amount can be used from Galveston County as long as the total combined is a minimum 40%. The business location of the General Contractor will not be considered in meeting the 40% local commitment.

Upon signing a construction contract, the General Contractor will be required to submit a schedule of values for the work to be completed consistent with the subcontractors that have been submitted in this RFQ. The schedule of values will break down the work by work items listed in the RFP and also break those items down by Local, Section 3 and M/WBE Vendors, Suppliers and Subcontractors. Payment requests will be required to show the proportion of work attributable to Local, Section 3 and M/WBE Vendors, Suppliers and Subcontractors so this use can be tracked. Failure to meet the use of Local, Section 3 and M/WBE Vendors, Suppliers and Subcontractors commitments as described in the respondents qualified response to the RFQ may result in withholding of retainage as a remedy to meeting the commitment.

Laws

Responders must comply with all Federal and State laws and regulations.

Withdrawal of qualifications

Submitters may request withdrawal of sealed qualifications prior to the scheduled opening time provided the request for withdrawal is submitted to the Purchasing Supervisor in writing. No qualifications may be withdrawn for a period of sixty calendar days after the opening.

The City of Galveston reserves the right to reject any and all qualifications, in whole or in part; to waive any informality in any submission, and to accept the qualifications, which, in its discretion, is in the best interest of the City of Galveston. In case of ambiguity or lack of completeness in any qualifications, the City reserves the right to consider the most advantageous qualifications thereof.

The City Manager is the only person authorized to execute contracts on behalf of the City. All signature pages must include “approved as to form” and be signed by the City Attorney before the City Manager will execute the contract.

Neither department heads nor elected officials are authorized to sign any binding contracts or agreements prior to being properly placed on the City Councils agenda and approved in an open meeting. Department heads and other elected officials are not authorized to enter into any type of agreement or contract on behalf of the City of Galveston. Only the City Manager may enter into a contract on behalf of the City of Galveston as authorized by City Council and the City Charter. Additionally, department heads and other elected officials are not authorized to agree to any type of supplemental agreements or contracts for goods or services. Supplemental agreements are subject to review by the City’s Legal Department prior to being signed by the City Manager, (City’s authorized representative).

SECTION 1.0 QUALIFICATION REQUIREMENTS

SECTION 1.1 Description of Program

A. Introduction

Hurricane Ike made landfall on the Texas coastline September 13, 2008 as a category 2 hurricane. Hurricane Ike was the third most destructive hurricane ever to make landfall in the United States. The Department of Housing and Urban Development (HUD) granted the State of Texas \$1,314,990,193 to assist in recovery. Of that amount City of Galveston was granted approximately \$160M to assist homeowners that had damages from Hurricane Ike.

The City of Galveston (City) is preparing a list of Prequalified General Contractors for Rehabilitation and for Reconstruction that will be invited to bid on several construction contracts for rehabilitation and / or reconstruction of homes in City of Galveston.

A total of approximately 1,180 homes will be rehabilitated or reconstructed depending on the receipt of applications for assistance and verified as eligible participants and availability of funding. As the applications are verified and approved, construction contracts will be developed bundling homes together in contract packages for bidding. The construction packages will include Write-ups for individual homes outlining the rehabilitation required. Reconstruction of homes will be in a separate procurement.

B. Nature of Request for Qualifications (RFQ)

The City seeks to pre-qualify responsible general contractors for the provision of housing rehabilitation and/or construction services. The award of contracts for this Project will be subject to a two phase process of Prequalification (RFQ) and Bidding (RFP). The City does not accept any financial responsibility incurred in order to respond to this RFQ. In addition, the City reserves the right to accept or reject any or all responses, or waive any and all formalities not considered advantageous to the City.

In this first phase, the RFQ process, the City is soliciting a Statement of Qualifications (SOQ) from General Contractors with the experience, capabilities, and qualifications to fulfill the efforts described in *Section 2.2 Summary of Work*, of this RFQ. The following process will be followed:

- **Submission of Statement of Qualifications (“SOQ”)** - Interested General Contractor firms must submit a completed *SOQ* consisting of the RFQ, Qualification Sheet and Attachments A thru D; completed *Schedules A through L*, and all required supporting documentation referenced therein in response to this *RFQ* by the Open Date set forth in the invitation.
- **Prequalification Evaluation** – The City will review and evaluate the *SOQs* (and supporting documentation) submitted by interested General Contractors. The City shall conduct the evaluation in accordance with the evaluation criteria set forth in *Section 2.1 Evaluation Criteria* then summarize the process and results and prepare a list of Prequalified Contractors for

Rehabilitation and a list of Prequalified Contractors for Reconstruction to the City. Contractors may qualify on both lists.

- **Notice To Respondent General Contractors** – Upon completion of the evaluation and review process described herein, the City shall provide written notice to all respondent General Contractors as to whether they are deemed prequalified or not. Prequalified General Contractor firms shall also be invited to participate in *Phase Two*, the RFP/Bidding Phase of the General Contractor selection process. Separate RFPs will be issued for Rehabilitation projects and Reconstruction.

In the second phase, the RFP/Bidding process, the Program Manager will prepare individual construction contracts consisting of a bundle of homes to be rehabilitated and a contract for reconstruction for the purpose of soliciting bids. General Contractor firms determined in *Phase One* to be prequalified will be invited to bid on the individual construction contracts. There will likely be approximately 15 or more individual construction contracts to award depending on the number, location and types of work requested by homeowners in the application process. Each construction package is expected to be approximately \$3.0 to \$4.0 million. **Only firms deemed prequalified during Phase One – RFQ/Prequalification Phase will be permitted to participate in Phase Two, the RFP/Bidding Phase. Firms that are not prequalified and firms that do not participate in the RFQ phase will be precluded from participating in Phase Two - the RFP Bidding/Phase.** The construction contracts will be awarded to the best value and responsive bidder(s) in Phase Two.

C. Changes to Contract

Due to the nature and scope of the work required, it may be necessary to increase, decrease, or otherwise modify the scope of the effort or terms of the agreement. Therefore, the City may, from time to time, request revisions in order to adjust to its needs. Modifications require approval and concurrence by CGGHD.

D. Termination of Agreement

The City reserves the right to terminate its agreement for funding with the Homeowner if the Contractor fails to comply with usual and customary practices of the industry, breach of any laws, rules or regulations, or failure to significantly comply or meet the performance expectations as established in the contract, if any, between the Contractor and Homeowner. The Homeowner will be advised to terminate their agreement with the Contractor for this failure to comply.

E. Potential Conflicts Of Interest

An outside consultant or contractor is prohibited from submitting a bid for services on a City project of which the consultant or contractor was a designer or other previous contributor, or was an affiliate, subsidiary, joint venture or was in any other manner associated by ownership to any party that was a designer or other previous contributor. If such a consultant or contractor submits a prohibited bid, that bid shall be disqualified on the basis of conflict of interest, no matter when the conflict is discovered by the City. Potential bidders are advised that they may have disclosure requirements pursuant to Texas Local Government Code, Chapter 176. This law requires persons desiring to do business with the City to disclose any gifts valued in excess of \$250 given to any City Official or the City Official's family member, or employment of any City Official or the City Official's family

member during the preceding twelve (12) month period. The disclosure questionnaire must be filed with the City of Galveston City Secretary. Refer to Texas Local Government Code, Chapter 176 for the details of this law.

E. HUD and State Regulations

Because this Project is being funded under a Community Development Block Grant (CDBG) from HUD, through the State of Texas and the City, the Contractor will be expected to abide by the applicable federal, state and local laws and regulations governing this work including:

UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, PROGRAM INCOME, AND REVERSION OF ASSETS

The City as a subrecipient of HUD funds through the Texas Department of Housing and Community Affairs is required to meet the following Uniform Administrative Requirements, Cost Principles, Program Income and Reversion of Assets. The Contractor will be required to maintain certain information and documents and also meet these requirements.

- A. If the Subrecipient is a governmental entity, except as specifically modified by law or the provisions of this Contract, the Subrecipient shall comply with the Regulations in The Applicable Laws and Regulations (below) and, for matters not addressed therein, with 24 CFR Part 85, "Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments" (referred to as the "Common Rule") as modified by the rules promulgated by the Governor's Office under the Uniform Grant and Contract Management Act (Tex. Gov't. Code Ann. Chapter 783; referred to as "UGCMS"), in performing this Contract. The allowability of costs incurred for performances rendered shall be determined in accordance with Department of Management and Budget (OMB) Circular A-87, as supplemented by UGCMS and this Contract.

- B. If the Subrecipient Is a nonprofit organization, except as specifically modified by law or the provisions of this Contract, the Subrecipient shall comply with the Regulations in Exhibit C and, for matters not addressed therein, with 24 CFR Part 84, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and other Nonprofit Organizations" (referred to as the "Common Rule") as modified by the rules promulgated by the Governor's Office under the Uniform Grant and Contract Management Act (Tex. Gov't. Code Ann. Chapter 783; referred to as "UGCMS"), in performing this Contract. The allowability of costs incurred for performances rendered shall be determined in accordance with Department of Management and Budget (OMB) Circular A-122, as supplemented by UGCMS and this Contract.

THE APPLICABLE LAWS AND REGULATIONS (unless specifically waived)

I. CIVIL RIGHTS

Title VI of the Civil Rights Act of 1964, (42 U.S.C. Section 2000d et seq.); 24 CFR Part I, "Nondiscrimination in Federally Assisted Programs of the Department of Housing and Urban Development - Effectuation of Title VI of the Civil Rights Act of 1964";

Title VIII of the Civil Rights Act of 1968, "The Fair Housing Act of 1968" (42 U.S.C. Sec 3601 et seq.), as amended, and implementing regulations, and it will affirmatively further fair housing;

Executive Order 11063, as amended by Executive Order 12259, and 24 C. F.R. Part 107, "Nondiscrimination and Equal Opportunity in Housing under Executive Order 11063". The failure or refusal of the Subrecipient to comply with the requirements of Executive Order 11063 or 24 CFR Part 107 shall be a proper basis for the imposition of sanctions specified in 24 CFR 107.60;

The Age Discrimination Act of 1975 (42 U.S.C. Sec. 6101 et seq.);

Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Sec. 794.) and "Nondiscrimination Based on Handicap in Federally-Assisted Programs and Activities of the Department of Housing and Urban Development", 24 CFR Part 8. By signing this Contract, the Subrecipient understands and agrees that the activities funded shall be operated in accordance with 24 CFR Part 8; and the Architectural Barriers Act of 1968 (42 U.S.C. Sec. 4151 et seq.), including the use of a telecommunications device for deaf persons (TDDs) or equally effective communication system.

II. EMPLOYMENT OPPORTUNITIES

Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. Sec.1701u).

III. LEAD-BASED PAINT

Section 302 of the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. Sec. 4831(b)) and the procedures established by the Department thereunder.

IV. CONFLICT OF INTEREST

Chapter 171, Texas Local Government Code and 24 CFR 570.489 (h) and 24 CFR. § 570.611 of the federal regulations.

Section 1.2 Qualification Program

General Contractors will be requesting prequalification as either a Rehabilitation Contractor or a Reconstruction Contractor or both. Respondent General Contractors must submit documentation for the four (4) evaluation criteria categories, Management Experience, References, Capacity to Complete Projects and Mandatory Requirements. Prequalification will be based on the submitted information and materials as well as information on prior project performance, information obtained from references, and information obtained from governmental agencies and entities. The City may also request and review additional information as necessary to clarify or supplement the information provided to or obtained for evaluation.

Points will be awarded in each of the four categories as described in *Section 2.1* and the General Contractor will be expected to obtain a minimum of 70 out of 100 points to potentially prequalify with a minimum number of points in each of the first three categories. The submittal maybe disqualified for failure to meet the mandatory requirements.

The categories and subcategories are as follows:

- Management Experience
 - Business Owners
 - Management Personnel
 - Similar Project Experience
 - Terminations
 - Legal Proceedings
 - Safety Record
 - Use of WBE/MBE and Section 3 Business Subconsultants
 - Use of Modular Housing (Industrialized Housing)
- References
 - Project References
 - Credit References
 - Public Project Record
- Capacity to Complete Projects
 - Financial Statement
 - Revenue
 - Capacity to Perform
- Use of Suppliers, Vendors and Subcontractors
- Mandatory Requirements
 - Bonding Capacity
 - Permits, Registrations, and Certification

General Contractors meeting the prequalification requirements will be advised in writing of inclusion on the Prequalification List.

Section 1.3 Submittal Requirements

Carefully review the components of this RFQ. Include with your response all required forms, completed and signed as necessary. Submit your RFQ in an envelope clearly indicating the Job Description, the Submitters Company Name and the wording, "**SEALED REQUEST FOR QUALIFICATIONS**", on the outside of the envelope.

Firms shall not contact any members or employees of the City regarding this RFQ, evaluation, or selection process from the time the RFQ is issued until the time a prequalification list is announced, except if, such contact is in writing, with a copy of any written communication being forwarded to the Purchasing Supervisor. Contact discovered in any such manner, other than in writing would be considered as grounds for elimination.

The prequalification list will remain valid for twelve (12) months after the RFQ due date or until contracts are executed for the project, whichever is sooner. The City may, in the event the selected firm fails to perform and/or the contract is terminated within forty-five days of its initiation, request the next qualified bidder to enter into a contract.

Each SOQ must be submitted in a binder with **one (1) original copy (labeled) and five (5) duplicate copies (labeled)** and include the RFQ including Section 1.0 and 2.0, the Qualification Sheet (signed) and all Attachments A through E (Attachment E including Schedules A through L) completed and signed as appropriate followed by Additional Information listed below. Clearly identify and address

each requirement as specifically as possible, in ink or typewritten. Use additional pages, if necessary, maintaining proper identification of items.

Additional Information

Each respondent will provide the following additional information to this RFQ and include it following Attachment E of the submitted response.

- Financial Statement [from Section 2.1 (C)(3)]
- Statement of Capacity to Perform [from Section 2.1 (C)(3)]
- Statement of Bonding Capacity [from Section 2.1 (C)(5)]
- Permits, Registrations and Certifications [from Section 2.1 (C)(5)]

SECTION 2.0 EVALUATION CRITERIA, SUMMARY OF WORK AND SPECIFICATIONS

Section 2.1 Evaluation Criteria

A. Sources of Information Considered

Respondent General Contractors must submit documentation for the four (4) evaluation criteria categories listed herein. Prequalification will be based on the submitted information and materials as well as information on prior project performance, information obtained from references, and information obtained from governmental agencies and entities. The City may also request and review additional information as necessary to clarify or supplement the information provided or obtained for evaluation.

Do not include superfluous material. You must include the RFQ including Sections 1.0 and 2.0, the Qualification Sheet (signed), all Attachments A through E (Attachment E including Schedules A through L) complete and signed as appropriate followed by Additional Information requested in Section 1.3 above. You must give complete and accurate answers to all questions and provide all of the information requested. Making a materially false statement in this SOQ submission is grounds for rejection and debarment.

B. Evaluation Procedure

The City shall evaluate interested General Contractors based on the evaluation criteria set forth herein and assign points for each evaluation criterion category and subcategory provided herein. The City shall prepare a written evaluation score form for each respondent General Contractor that provides a composite point rating and a specific point rating for each of the evaluation criterion set forth in herein. The City shall only prequalify those General Contractor firms that have achieved the minimum points required in each category set forth herein and a minimum total score of seventy (70) points.

Only General Contractor firms achieving the minimum score required in each evaluation category set forth herein, as well as a minimum total score of seventy (70) points overall shall be prequalified and invited to submit bids on the Project. An interested General Contractor's score shall be made available to the General Contractor upon request.

The decision of the City shall be final and shall not be subject to appeal except on grounds of fraud or collusion.

C. Criteria for Prequalification

SOQs must be submitted in the format required. Interested General Contractors submitting a *SOQ* and supporting information in any other form may not be prequalified. The City shall review and evaluate the information submitted by interested General Contractors in accordance with the RFQ which sets out the available points for each evaluation sub-category in order to provide interested General Contractors prior notice of the points available in each sub-category. **If a Contractor is requesting prequalification in reconstruction, rehabilitation or both the information included must be representative of the Work in the categories requested. Failure to provide sufficient information for a requested category will disqualify the Contractor from that category.**

1. Management Experience - (50 points available in this category; minimum of 25 points required in this category for prequalification approval)

- **Business Owners:** Provide the name, title, including a detailed description of the role and job responsibilities, scope of work and numbers of years with the firm for each of the business owner(s) of the firm. If the respondent General Contractor is a partnership, **YOU MUST** provide the requested information for each general and limited partner. If the respondent General Contractor is a corporation or limited liability company, **YOU MUST** provide the requested information for each officer, director and/or member (LLC). (**2 points available**)
- **Management Personnel:** Provide the name, title, including a detailed description of the role and job responsibilities, scope of work, education, construction experience, years with the firm and list of all projects completed for all management personnel who will have any direct or indirect responsibility over the Project, including but not limited to project executives, project managers, field superintendents and field engineers. (**4 points available**)
- **Similar Project Experience:** Provide the project name(s), description, scope of work, original contract sum, final contract sum with explanation, and date of completion for each and every similar project undertaken by the firm in the last 10 years. For purposes of this RFQ, “similar projects” shall mean **Construction or rehabilitation of multiple numbers of single family homes in single contracts in excess of \$2.0 mill.** (**10 points available**)
- **Terminations:** Provide a list of any projects on which the firm was the General Contractor and was terminated, held in default, or failed to complete the work within the last 10 years. Include the name of the project, the timeframe of the project and circumstances surrounding the termination or default. (**4 points available**)
- **Legal Proceedings:** Provide information regarding each and every legal proceeding, administrative proceeding and arbitration pending against the General Contractor. In addition, provide information regarding each and every legal proceeding, administrative proceeding or arbitration concluded adversely to the General Contractor within the past five (5) years, which relate to the procurement or performance of any public or private construction contract. (**3 points available**)
- **Safety Record:** Provide the three (3) year history of the General Contractor’s workers’ compensation experience modifier. In addition, provide documentation from the General Contractor’s insurance carrier supporting the rating history provided. (**4 points available**)
- **Use of MBE/WBE and Section 3 Business Workforce:** The goal of this project is to make use of MBE/WBE firms and Section 3 Businesses in the Project. Provide a list of the MBE/WBE firms the General Contractor intends to use on this contract. The General Contractor will be expected to utilize the MBE/WBE firms named in the RFQ during construction or request a substitution with legitimate reason for requiring the substitution in writing. (**20 points available**)

- **Use of Modular Housing (Industrialized Housing):** The General Contractors are also encouraged to use Modular Housing where feasible. If modular housing is to be used, provide the name of the Modular Housing supplier and installer. **(3 points available)**
2. **References - (10 points available in this category; minimum of 5 points required in this category for prequalification approval)**
- **Project References:** Provide reference information for owners and architects for each and every project listed in your response. Information provided shall at least include project name and the names of the owners and architects, with current address, current telephone and fax numbers, and contact person for each. Note: The City may also consider project reference information and information provided in response to Subsection 2.1.A herein. **(4 points available)**
 - **Credit References:** Provide a minimum of five (5) credit references, including the telephone and fax numbers of a contact person from key suppliers, vendors and banks. **(4 points available)**
 - **Public Project Record:** Provide a list of all completed public building construction projects worked on during the past three (3) years with the project name, scope of work, contract value, start date, completion date, status of the project, owner's name (including address, telephone number, fax number, and contact person) and architect's name (including address, telephone number, fax number and contact person). **(2 points available)**
3. **Capacity to Complete Projects - (25 points available in this category; minimum of 10 points required in this category for prequalification approval)**
- **Financial Statement:** Submit a letter from firm's financial auditor that the firm is in "good financial standing". In addition, submit an audited financial statement for the most recent fiscal year. The financial information submitted shall remain confidential and shall not be a public record. **(10 points available)**
 - **Revenue:** Submit revenue under contract for the next three (3) years. **(10 points available)**
 - **Capacity to Perform:** The General Contractor shall provide a statement, no more than one page in length, outlining the firm's capacity and approach for the following:
 - Number of single family residential units the firm is capable of having under rehabilitation construction at any point in time throughout the program cycle.
 - Number of single family residential units the firm is capable of having under new construction at any point in time throughout the program cycle.
 - Example of project delivery schedule including estimated total time to complete a single family new construction through issuance of a Certificate of Completion by the governing jurisdiction.
 - List of labor and equipment available for this project. **(5 points available)**
4. **Use of Suppliers, Vendors and Subcontractors (15 points available in this category);**

The General Contractor shall **complete Schedule G** to outline all teaming partners, including, Section 3, and M/WBE vendors, suppliers, and subcontractors proposed as part of team. General Contractors are encouraged to use Section 3, M/WBE firms, and local firms in the execution of the work

During the preparation of a bid for the RFP, the General Contractor (for reason of location of the work, availability of a particular Vendor, Supplier or Subcontractor, or otherwise) will have the opportunity to make changes to the commitment list of Vendors, Suppliers and Subcontractors however the revised list will be required to meet the same split of work between local, M/WBE, and Section 3 as proposed in the RFQ.

5. Mandatory Requirements - (no points assigned, failure to provide may result in disqualification)

- **Bonding Capacity:** Interested General Contractors must provide a letter (from a surety company licensed to do business in the State of Texas and whose name appears on the United States Treasury Department Circular 570) stating the ability of the General Contractor to obtain payment and performance bonds for each Homeowner contract to an aggregate amount equal to or greater than one hundred percent (100%) of the estimated construction cost for Project as set forth in *Section 1*.
- **Permits, Registrations, and Certification:** Interested General Contractors shall provide copies of all the firms and subcontractor's permits, registrations and certifications pertaining to the conductance of business in the State of Texas as a commercial residential construction contractor. General Contractors must include the firm's or a subcontractor's firms lead based paint permits, registration and certifications for this project including a statement that the firm or subcontractor is trained to follow HUD's Lead Based Paint procedures and regulations. Specific submittals include, but are not limited to the following:
 - Registration with the Texas Department of Licensing and Registration, and / or Texas State Board of Plumbing Examiners.
 - Certificate of Account Status establishing that the General Contractor is current with any and all taxes, if any, due to the State of Texas.
 - A notarized statement that the firm in not debarred, suspended, or ineligible contractor according to HUD's "Consolidated List of Debarred, Suspended, and Ineligible Contractors" and the US General Services Administration's "Consolidated List of Debarred and Suspended Contractors".
 - The General Contractor will utilize to the greatest extent feasible, Section 3 businesses under Section 3 of the HUD act of 1968.
 - The General Contractor certifies that: the firm will comply with provisions of the Hatch Act (5 U.S.C. 1501 1508and 7324-73328), which limit the potential activities of employees whose principal employment activities are funded in whole or in part with federal funds, in the performance of the Work.
 - The General Contractor certifies that: the firm, in performance of the Work, and to the extent applicable, will comply with all federal Laws and policies relating to the CDBG set forth below, which are incorporated by reference.

- 24 CFR Part 57, Subpart I;
- Public Law 109-148 (Department of Defense Appropriations Act, 2009);
- Public Law 109-234 (Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006);
- Allocations and Common Application and Reporting Waivers Granted to and Alternative Requirements for CDBG Disaster Recovery Grantees Under the Department of Defense Appropriations Act, 2006; Notice, “71 Fed. Reg. 7666 (Feb. 13, 2006); and
- 48 CFR, Part 31 regarding allowability of costs. (These all need to be checked)

Section 2.2 Summary of Work

A total of approximately 1,180 homes are anticipated to be rehabilitated or reconstructed depending on the receipt of applications for assistance and verified as eligible participants and availability of funds. As the applications are verified and approved, construction contracts will be developed bundling homes together in contract packages for bidding. The construction packages will include Write-ups for individual homes outlining the rehabilitation required. Reconstruction of homes will be in a separate procurement. The Contractor will be expected to complete the required work from these project Write-ups.

Rehabilitation contracts – As Homeowner applications are obtained, verified and approved a Write-up will be prepared for each home detailing the work to be done. Based on the initial projections of 800 homes that will require rehabilitation, several contracts will be procured through a bidding process with each contract including a bundle of approved homes. Only Prequalified Contractors in the Rehabilitation category will be eligible to bid on these bundled contracts. The lowest responsible bidder for each contract will be selected.

Reconstruction –Based on the initial projection of 300 homes that will require reconstruction, one single RFP process will be completed to select up to four (4) best value Contractors to complete reconstruction for eligible homeowners. Contractors will only be eligible to participate in the RFP process if they have previously been prequalified as a Reconstruction Contractor in the RFQ process.

The RFP process will request the Contractor to provide a price for each of three or four home designs in each housing category with a variety of bedrooms and bathroom configurations anticipated to meet the market needs. The contractor shall submit one design per planning area for a 1,400 sq. ft. house with 2 bedrooms and 2 baths that meets the stated concepts for the planning area. The designs may also include discussion of how the design meets the concept of the planning area. The contractor will also provide a floor plan for each size category and bedroom / bath configuration. There will not be a need to prepare full designs of each category and configuration, other than a floor plan until a homeowner actually selects a given configuration. The categories are anticipated to be as follows, but may be adjusted by the time the RFP is prepared.

800 sq. ft.

1000 sq. ft.
1200 sq. ft.
1400 sq. ft.
1600 sq. ft.
1800 sq. ft.
2000 sq. ft.
2200 sq. ft.
Duplex 2600 sq. ft.
20 percent of the plans must be two story layouts

The city strongly encourages builders to consult with and/or use architects and home designers in preparing their bid packages and the Long Term Recovery Committee of the City of Galveston has compiled a list of designers who are willing to assist in the bid preparation process. Designs are meant to represent the character of the particular planning area consistent with its history and culture. General concepts (for example, Turn of the Century, Craftsman Cottage, Post WWII or Mid century, or Texas Gulf Coast Vernacular) will be described by the Long Term Recovery Committee and will be included in the RFP for each of the four planning districts in the City (a copy of district map is included in Attachments). The General Contractor will be expected to use the concepts developed in these designated designs to prepare home plans for each planning area according the breakdown and homeowner selection of sizes above.

The Contractor must also certify that they have at least one alternate design in each category and bath/bedroom configuration that they are willing to construct at the same price. After the four best value Contractors are selected, the Homeowner will be provided the selection of homes and prices available (including the alternate design) and may select any home and set of options meeting their size, configuration and budget requirements. Budget requirements are based on the funds made available through the CDBG grant funding plus any additional insurance, payments received or other sources the Homeowner proves they have available. Once the Homeowner makes the selection, the home reconstruction will be assigned to the selected Contractor. No more than 50% of the homes will be assigned to a single Contractor. The Contractor will be expected to provide a complete design of the home at this point, matching the planning area concept as previously submitted. A Contractor must finish each home within 6 months of receiving the Notice to Proceed from the Program Administrator.

The base prices for the homes included in the bid will be based on “modest“ finishes, however the RFP will also include a unit price list of upgraded finishes, materials, fixtures, and appliances. Once the Contractor is selected, they will be required to meet with the Homeowner to select any upgrades that can be completed within the Homeowners maximum payment limit. Unit prices will also be included for basic site work such as sidewalks, driveways, utility connections, and demolition that will be included on a specific home basis again within the Homeowners maximum payment limit.

The Proposals will be evaluated by the Program Manager with a recommendation for selection to be accepted by the City. The four best value Contractors will be selected as follows:

Price - 50%

Qualifications of Proposed Project Management and Site Staff – 10%

Subcontracting Plan – 10%

Compliance of Submitted Design to Desired Planning Area Concepts – 20%

Proposed schedule of completion for assignment of 30 homes – 10%

The price qualification will be based on averaging the costs of homes proposed in each category and then averaging the average cost in each category. The lowest final average will receive the highest score. Other scores will be assigned relative to the other submittals. The submittals judged the best will receive the higher scores. Final selection will be the four Contractors with the highest weighted scores.

Section 2.2 Specifications

Contractors must meet the most restrictive code whether it be Federal, State (International Residential Building Code) or local and will be expected to follow the City of Galveston MINIMUM HOUSING REHABILITATION STANDARDS, the City of Galveston Construction & Inspection - Contractor Specification Manual (currently being revised to include 2009 edition of the International Residential Code and the International Energy Conservation Code Chapter 4 for Energy Efficiency) and Texas Government Code - Section 2306.514. A copy of the MINIMUM HOUSING REHABILITATION STANDARDS will be included in the RFP package.

**INVITATION FOR QUALIFICATIONS SHEET
RFQ #09-10-004
CITY OF GALVESTON, TEXAS**

Category of Prequalification requested (Rehabilitation, Reconstruction or Both) _____

Having read and understood the instructions, terms, conditions and specifications, we submit the following:

Witness

Company Name

Date

Authorized Representative Signature

Printed Name

Title

Correspondence Address

Remit Address

City, State, Zip Code

City, State, Zip Code

Tax Identification Number (Tin/Fien/Ssn)

Telephone Number

Fax Number

Email address

THIS DOCUMENT MUST BE COMPLETED AND SUBMITTED

ATTACHMENTS

- A. Property Tax Statement**
- B. Nepotism Statement**
- C. Non Collusion Statement**
- D. Conflict of Interest**
- E. GC RFQ Form 2**
- F. City of Galveston Planning Districts**
- G. RFQ Response Checklist**

ATTACHMENT A – “PROPERTY TAXES STATEMENT”

**FAILURE TO COMPLETE THIS ATTACHMENT SHALL RESULT IN THE
PURCHASING SUPERVISOR DEEMING SUBMISSION
“NON-RESPONSIVE.”**

The City of Galveston, Texas has adopted the following policy:

The City of Galveston will not do business with any person or business that owes delinquent property taxes to the City.

Please indicate whether you or your company, owe delinquent property taxes to the City whether an assumed name, partnership, corporation, or any other legal form.

_____ I do not owe the City property taxes that are delinquent.

_____ I owe City property taxes that are delinquent on property located at

Bidder’s Printed or Typed Name

Bidder’s Signature

Date

THIS DOCUMENT MUST BE COMPLETED AND SUBMITTED

ATTACHMENT B – “NEPOTISM STATEMENT”

**FAILURE TO COMPLETE THIS ATTACHMENT SHALL RESULT IN THE
PURCHASING SUPERVISOR DEEMING YOUR SUBMISSION
“NON-RESPONSIVE.”**

The Submitter or any officer, if the Submitter is other than an individual, shall state whether Submitter has a relationship, either by blood or marriage, with any official or employee of the City of Galveston by completing the following:

If the Submitter is an individual:

_____ I am not related by blood or marriage to any official or employee of the
City of Galveston

_____ I am related by blood or marriage to the following official(s) or employee(s)
of the City of Galveston

Name and title of City Official

Or employee: _____

Relationship: _____

If the Submitter is **NOT** an individual:

_____ The officers of the company submitting are not related by blood or marriage to any
official or employee of the City of Galveston.

_____ The officers of the company submitting this are related by blood or marriage to the
following official(s) or employee(s) of the City of Galveston.

Name and title of officer: _____

Employee and title of City Official or Employee: _____

Relationship: _____

THIS DOCUMENT MUST BE COMPLETED AND SUBMITTED

ATTACHMENT C –“NON-COLLUSION STATEMENT”

THE UNDERSIGNED AFFIRM THAT THEY ARE DULY AUTHORIZED TO EXECUTE THIS CONTRACT, THAT THIS COMPANY, FIRM, PARTNERSHIP OR INDIVIDUAL HAS NOT PREPARED THESE QUALIFICATIONS IN COLLUSION WITH ANY OTHER SUBMITTER, AND THAT THE CONTENTS OF THESE QUALIFICATIONS AS TO PRICES, TERMS OR CONDITIONS OF SAID QUALIFICATIONS HAVE NOT BEEN COMMUNICATED BY THE UNDERSIGNED NOR BY ANY EMPLOYEE OR AGENT TO ANY OTHER PERSON ENGAGED IN THIS TYPE OF BUSINESS PRIOR TO THE OFFICIAL OPENING OF THESE QUALIFICATIONS.

VENDOR _____

ADDRESS _____

PHONE _____

FAX _____

BIDDER (SIGNATURE) _____

BIDDER (PRINTED NAME) _____

POSITION WITH COMPANY _____

**SIGNATURE OF COMPANY OFFICIAL
AUTHORIZING THIS BID** _____

**COMPANY OFFICIAL
(PRINTED NAME)** _____

OFFICIAL POSITION _____

THIS DOCUMENT MUST BE COMPLETED AND SUBMITTED

ATTACHMENT D, CONFLICT OF INTEREST

All Applicants

The standards in OMB Circular A-110, Subpart C, provide that no employee, officer, or agent shall participate in the selection, award, or administration of a contract supported by Federal funds if real or apparent conflict of interest would be involved. Such a conflict would arise when an employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a **financial or other interest** in the firm selection for an award.

CDBG and HOME Applicants Only

The CDBG regulations at 24 C.F.R. § 570.611 and HOME regulations at 24 C.F.R. § 92.356 provide that no person who is an employee, agent, consultant, officer, or elected official or appointed official of the recipient or Subrecipient that are receiving CDBG or HOME funds and (1) who exercises or has exercised any functions or responsibilities with respect to activities assisted with CDBG funds or (2) who is in a position to participate in a decision-making process or gain inside information with regard to these activities, may obtain a financial interest from a CDBG-assisted or HOME-assisted activity, or have any interest in any contract, subcontract, or agreement with respect thereto, or the proceeds there under, either for themselves or those with whom they have family or business ties, during their tenure or for one (1) year thereafter.

IF NO CONFLICTS EXIST, COMPLETE THE FOLLOWING:

<input type="checkbox"/> I certify that no conflict of interest exists between City of Galveston and _____ (Name of Organization)
<input type="checkbox"/> I certify that no conflict of interest exists between the subcontractors of and _____ (Name of Organization)
<p>If there is a conflict, complete the following:</p> <input type="checkbox"/> I certify that a conflict of interest does exist between City of Galveston and _____ (Name of Organization)
<input type="checkbox"/> I certify that a conflict of interest does exist between _____ and (Name of subcontractor) _____ (Name of Organization)

Describe the nature of the conflict of interest below: (Please identify the individual, employment, and the conflict or potential conflict [their affiliation with your organization]).

Signature of Authorized Agency Official	Date
Typed Name and Title	

Attachment D, Conflicts Disclosure Statement

LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT (Instructions for completing and filling this form are provided on the back.)	FORM CIS												
This is the notice to the appropriate local governmental entity that the following local government officer has become aware of facts that require the officer to file this statement in accordance with chapter 176, Local Government Code.	<u>OFFICE USE ONLY</u> <i>Date Received</i>												
1. Name of Local Governmental Officer													
2. Office Held													
3. Name of person described by Sections 176.002(a) and 176.003(a), Local Government Code													
4. Description of the nature and extent of employment or business relationship with person named in Item 3													
5. List gifts if aggregate value of the gifts received from person named in Item 3 exceeds \$250													
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Date Gift Received _____</td> <td style="width: 45%;">Description of Gift _____</td> <td style="width: 10%; text-align: center;"><input type="checkbox"/></td> <td style="width: 20%; text-align: right;">Did Not Accept Gift</td> </tr> <tr> <td>Date Gift Received _____</td> <td>Description of Gift _____</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: right;">Did Not Accept Gift</td> </tr> <tr> <td>Date Gift Received _____</td> <td>Description of Gift _____</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: right;">Did Not Accept Gift</td> </tr> </table>	Date Gift Received _____	Description of Gift _____	<input type="checkbox"/>	Did Not Accept Gift	Date Gift Received _____	Description of Gift _____	<input type="checkbox"/>	Did Not Accept Gift	Date Gift Received _____	Description of Gift _____	<input type="checkbox"/>	Did Not Accept Gift	
Date Gift Received _____	Description of Gift _____	<input type="checkbox"/>	Did Not Accept Gift										
Date Gift Received _____	Description of Gift _____	<input type="checkbox"/>	Did Not Accept Gift										
Date Gift Received _____	Description of Gift _____	<input type="checkbox"/>	Did Not Accept Gift										
(attach additional forms as necessary)													
6. AFFIDAVIT													
acknowledge that	I swear under penalty of perjury that the above statement is true and correct. I												
Government	the disclosure applies to a family member (as defined by Section 176.001(2), Local												
period	Code) of a government officer. I also acknowledge the statement covers the 12-month												
	described by Section 176.003(a)(2)(b), Local Government Code.												
	_____ Signature of Local Government Officer												
AFFIX NOTARY STAMP / SEAL ABOVE													
Sworn to and subscribed before me, by the said _____, this the _____													

day of _____, 20_____, to certify which, witness my hand and seal of office.

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

LOCAL GOVERNMENT OFFICER
CONFLICTS DISCLOSURE STATEMENT

Section 176.003 of the Local Government Code requires certain local government officers to file this form. A "local government officer" is defined as a member of a governing body of a local government entity or a director, superintendent, administrator, president, or other person designated as the executive officer of the local government entity. This form is required to be filled with the records administrator of the local governmental entity not later than 5 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of this statement.

A local government officer commits an offense if the officer knowingly violates Section 176.003, Local Government Code. An offense under this section is a Class C misdemeanor.

Please refer to chapter 176 of the Local Government Code for detailed information regarding the requirement to file this form.

INSTRUCTIONS FOR COMPLETING THIS FORM

The following numbers correspond to the numbered boxes on the other side

1. Name of Local Government Officer. **Enter the name of local government officer filing this statement.**
2. Office Held. **Enter the name of the office held by the local government officer filing this statement.**
3. Name of person described by Sections 176.002(a) and 176.003(a), Local Government Code. **Enter the name of the person described by Section 176.002, Local Government Code with whom the officer has an employment or other business relationship as described by Section 176.003(a), Local Government Code.**
4. Description of the nature and extent of employment or business relationship with person named in item 3. **Describe the nature and extent of the relationship of the employment or other business relationship with the person in item 3 as described in Section 176.003(a), Local Government Code.**
5. List gifts if aggregate value of the gifts received from person named in number 3 exceed \$250. **List gifts received during the 12-month period (described by Section 176.003(a)(2)(B), Local Government Code) by the local government officer or family member of the officer from the person named in number 3 that in the aggregate exceed \$250 in value.**
6. Affidavit. **Signature of Local government officer.**

Attachment D, Conflict of Interest Questionnaire

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CG

For vendor or other person doing business with local governmental entity

This questionnaire is being filed in accordance with chapter 176 of the Local Government Code by a person doing business with the governmental entity.

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.

OFFICE USE

ONLY

Date Received

1. Name of person doing business with local governmental entity.

2.

Check this box if you are filling an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than September 1 of the year for which an activity described in Section 176.006(a), Local Government Code, is pending and not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3. Describe each affiliation or business relationship with an employee or contractor of the local governmental entity who makes recommendations to a local government officer of the local governmental entity with respect to expenditure of money.

4. Describe each affiliation or business relationship with a person who is a local government officer and who appoints or employs a local government officer of the local governmental entity that is the subject of this questionnaire.

Attachment D, Conflict of Interest Questionnaire (p.2)

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

Page 2

5. Name of local government officer with whom filer has affiliation or business relationship. (Complete this section only if the answer to A, B, or C is YES.)

This section, item 5 including subparts A, B, C & D, must be completed for each officer with whom the filer has affiliation or business relationship. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income from the filer of the questionnaire? Yes No

B. Is the filer of the questionnaire receiving or likely to receive taxable income from or at the direction of the local government officer named in this section AND the taxable income is not from the local governmental entity? Yes No

C. Is the filer of this questionnaire affiliated with a corporation or other business entity that the local government officer serves as an officer or director, or holds an ownership of 10 percent or more? Yes No

D. Describe each affiliation or business relationship.

6. Describe any other affiliation or business relationship that might cause a conflict of interest.

7.

Signature of person doing business with the governmental entity

Date

**Attachment E Statement of Qualifications Application for General Contractors
GC RFQ Form 2**

Note: See Sections II of Part One, the RFQ for this Project, for instructions on completing this Statement of Qualifications and accompanying Schedules A through L.

Project Name:	Rehabilitation and / or Reconstruction of Homes for City of Galveston Homeowners Disaster Recovery Program.
Awarding Authority:	City of Galveston Grants and Housing Department
General Contractor Name:	
General Contractor Mailing Address:	
General Contractor Street Address:	
Telephone Number:	
Facsimile Number:	
Contact Person/Title:	
Prequalification Requested (see note)	

Note: “Reconstruction”, “Rehabilitation” or “Both”

Execution Requirements

- 1. RFQ Response Checklist: Before signing and submitting its SOQ application package for this Project, interested General Contractors are advised to carefully review the RFQ Response Checklist – GC RFQ Form 3.**
- 2. Acknowledgement of Addenda. By signing below, the interested General Contractor acknowledges receipt of the following addenda to this RFQ: [Insert Addenda #]**
- 3. Incomplete or Inaccurate Information: Failure to accurately and completely provide the information requested may result in the disqualification.**
- 4. Authorization to Sign: This form MUST be signed by an officer of the firm or an individual so authorized by an officer of the firm who has personal knowledge regarding the information contained herein.**
- 5. Debarment Status: By signing below, the interested General Contractor certifies that it is not currently debarred from performing public work for the State of Texas or the Federal Government.**

- 6. **Failure to pay Galveston County property taxes or current property tax delinquency will disqualify any contractor from participation in the City of Galveston Home Repair Program.**

THE UNDERSIGNED CERTIFIES THAT ALL INFORMATION IN THIS STATEMENT AND ALL INFORMATION FURNISHED IN SUPPORT OF THIS STATEMENT IS TRUE AND COMPLETE TO THE BEST OF THE UNDERSIGNED'S KNOWLEDGE AND BELIEF.

Signature	Title	Date
-----------	-------	------

Signature	Title	Date
-----------	-------	------

CERTIFICATION & AGREEMENT BY CONTRACTOR FOR QUALIFICATION

RIGHT TO FINANCIAL PRIVACY ACT: This is to notify you, as required by the Right to Financial Privacy Act of 1978, that the City of Galveston (in accordance with the policies and procedures of the U.S. Department of Housing and Urban Development) has a right of access to financial records held by any financial institution in connection with the consideration of your application for the City of Galveston's Program Eligible Contractor's List. Financial records involving your transactions will be available to the City of Galveston without further notice of authorization but will not be disclosed or released to another Governmental Department or Department without your consent except as required or permitted by law.

PENALTY FOR FALSE OR FRAUDULENT STATEMENT: U.S.C. Title 18, Sec. 1001 provides: "Whoever in any matter within the jurisdiction of any department or Department of the United States knowingly and willfully falsifies . . . or makes any false, fictitious or fraudulent statement or representation, or makes any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000.00 or imprisoned not more than five years, or both.

THE UNDERSIGNED CERTIFIES THAT ALL INFORMATION IN THIS APPLICATION AND ALL INFORMATION FURNISHED IN SUPPORT OF THIS APPLICATION IS TRUE AND COMPLETE TO THE BEST OF THE UNDERSIGNED'S KNOWLEDGE AND BELIEF.

VERIFICATION OF ANY OF THE INFORMATION IN REGARD TO THIS APPLICATION MAY BE OBTAINED FROM ANY SOURCE REQUIRED OR NAMED HEREIN.

Signature

Title

Date

Signature

Title

Date

[Insert GC Firm Name]

SCHEDULE C - SIMILAR PROJECT EXPERIENCE: Interested General Contractor **MUST** list all similar projects your firm has completed during the last Ten (10) years. For the purpose of this *RFQ* “similar projects” shall be as defined in Section 2.1(C)(1) of the *RFQ* for this Project.

PROJECT NAME & LOCATION	PROJECT OWNER	PROJECT DESCRIPTION AND SPECIFIC SCOPE	ORIGINAL AND FINAL CONTRACT AMOUNT AND EXPLANATION	DATE COMPLETED (M/D/YYYY)

[Insert GC Firm Name]

SCHEDULE D - TERMINATIONS: Interested General Contractors are required to list each and every project on which it was terminated or failed to complete the project as set forth in Section 2.1(C)(1) of the *RFQ* for this Project.

PROJECT NAME & LOCATION	SCOPE OF WORK PERFORMED	CONTRACTED WITH	START & END DATES	ESTIMATED CONTRACT AMOUNT	% COMPLETE	REASON FOR TERMINATION

[Insert GC Firm Name]

SCHEDULE F – SAFETY RECORD: Interested General Contractors are required to provide the three (3) three year history of its workers' compensation experience modifier and attached documentation from its insurance carrier supporting the ratings reported herein as set forth in Section 2.1(C)(1) of the *RFQ* for this Project.

YEAR	WORKERS' COMP. EXPERIENCE MODIFIER	COMMENTS

[Insert GC Firm Name]

SCHEDULE H - PROJECT REFERENCES: Interested General Contractors are required to list references for prior work your firm has performed as set forth in Section 2.1(C)(2) of the *RFQ* for this Project.

PROJECT TITLE	COMPANY NAME	CONTACT PERSON/ADDRESS	TELEPHONE#	FAX#
	<p>OWNER:</p> <p>DESIGNER:</p>			
	<p>OWNER:</p> <p>DESIGNER:</p>			
	<p>OWNER:</p> <p>DESIGNER:</p>			
	<p>OWNER:</p>			

[Insert GC Firm Name]

SCHEDULE I - CREDIT REFERENCES: Interested General Contractors are required to list a minimum of five (5) credit references from banks, suppliers and/or vendors as set forth in Section 2.1(C)(2) of the *RFQ* for this Project.

CHECK ONE	COMPANY NAME	CONTACT PERSON	TELE#	FAX#
<input type="checkbox"/> BANK <input type="checkbox"/> SUPPLIER <input type="checkbox"/> VENDOR				
<input type="checkbox"/> BANK <input type="checkbox"/> SUPPLIER <input type="checkbox"/> VENDOR				
<input type="checkbox"/> BANK <input type="checkbox"/> SUPPLIER <input type="checkbox"/> VENDOR				
<input type="checkbox"/> BANK <input type="checkbox"/> SUPPLIER <input type="checkbox"/> VENDOR				
<input type="checkbox"/> BANK <input type="checkbox"/> SUPPLIER <input type="checkbox"/> VENDOR				

[Insert GC Firm Name]

SCHEDULE J - PUBLIC PROJECT RECORD: – Interested General Contractors are required to list all completed public construction projects during the past three (3) years in accordance with Section 2.1(C)(2) of the RFQ for this Project. (You may attach additional pages if necessary).

PROJECT INFORMATION	CONTACT INFORMATION Provide business and contact name, address, telephone and fax
PROJECT NAME: CONTRACT VALUE: SCOPE: START DATE: FINISH DATE:	AWARDING AUTHORITY: DESIGNER:
PROJECT NAME: CONTRACT VALUE: SCOPE: START DATE: FINISH DATE:	AWARDING AUTHORITY: DESIGNER:
PROJECT NAME: CONTRACT VALUE: SCOPE: START DATE:	AWARDING AUTHORITY: DESIGNER:

PROJECT INFORMATION	CONTACT INFORMATION Provide business and contact name, address, telephone and fax
FINISH DATE:	

SCHEDULE K – REVENUE UNDER CONTRACT: – Interested General Contractors are required to list revenue under contract for next three (3) fiscal years in accordance with Section 2.1(C)(3) of the *RFQ* for this Project.

Firm's fiscal year runs _____ to _____.

<u>YEAR</u>	<u>REVENUE UNDER CONTRACT (\$)</u>

Attachment G RFQ RESPONSE CHECKLIST

NOTE: LATE APPLICATIONS FOR PREQUALIFICATION WILL NOT BE CONSIDERED. THEREFORE, BEFORE SUBMITTING A RESPONSE TO THIS RFQ, PLEASE REVIEW THE FOLLOWING:

- Did you complete the entire *SOQ* Form (*GC RFQ Form 2*)?
- Did you fully complete *Schedules A through K*?
- Did you attach the resumes of owners and management personnel identified in your responses to *Schedule A* and *Schedule B*?
- Did you attach the required documentation from your insurance company supporting the workers' compensation modifier history you reported in *Schedule F*?
- Do you have the current contact information for all of the references you reported in *Schedule H*, *Schedule I* and *Schedule J*?
- Did you attach an audited financial statement as required in *Section 2.1.C.3*?
- Did you include permits, registration and certifications for a lead based paint mitigation as required in *Section 2.1.C.4*?
- Did you include the original and all required copies of your entire *SOQ* application package?
- Did you address the *SOQ* envelop correctly (i.e. to reference the Project and other required information set forth herein)?
- Did you review all of the Execution Requirements before signing the *SOQ* application form?
- Is the person who signed the *SOQ* application form authorized to do so and did his or her correct and current contact information?