

QUESTIONS AND ANSWERS

Job Order Contract (JOC)

For

Facilities Modifications or Repair

November 3, 2008

To: All Prospective Respondents

From: Houston Community College, Procurement Operations

Subject: Informational Letter #1 – Request for Proposal (RFP) for Job Order Contract (JOC) for Facilities Modifications or Repair (#09-04) the following questions were received in Procurement Operations within the time period specified in the solicitation document:

Question #1:

Are the technical proposal and price proposal to be submitted separately or identified separately within the same proposal?

HCC Answer:

Yes, they are to be submitted separately. Both documents should be submitted to HCC by the due date of November 13, 2008 @ 4:00 p.m.

Question #2:

How would you like to receive the proposals? Bound copies, 3-ring binders?

HCC Answer:

Either way is acceptable.

Question #3:

Please clarify the Small Business Participation requirements for this proposal. Other than the statement of the firm's commitment and plan to meet the small business goals, are you requiring a Good Faith Effort to be submitted with this proposal response? If so, please advise

HCC Answer:

Yes. Respondents are required to make a good faith effort to attain the 35% small business participation goal specified in the solicitation. Please refer to Attachment Nos. 5, 6 and 8 of the solicitation document.

Question #4:

Which of the proposal forms are required to be completed for this proposal? Please clarify "return the following documents, if appropriate"? For instance, if a Good Faith Effort isn't required before contract award, are attachments 5, 6, & 8 to be completed?

HCC Answer:

The following Attachments are to be completed for this proposal, if appropriate:

- Proposal/Award Form (Attachment No. 1)
- Determination of Good Faith Effort (Attachment No. 5)
Note: This form is to be completed only if the Contractor and Subcontractor Participation Form (Attachment No. 8) do reflect the names of subcontractors that will be used to meet the 35% small business participation goal under the resulting contract.
- Small Business Unavailability Certificate (Attachment No. 6)
(Please refer to the above note.)
- Small Business Development Questionnaire (Attachment No. 7)
- Contractor & Subcontractor Participation Form (Attachment No. 8)
Note: This Form (Attachment No. 8) should reflect, at a minimum, the small business subcontractors that will be used to attain the small business participation goal of 35%, if awarded a contract. Completion of this Attachment No. 8 will negate the requirement to complete Attachment Nos. 5 & 6.
- Non-Discrimination Statement (Attachment No. 9)
- Affidavit Form (Attachment No. 11)
- Business Questionnaire (Attachment No. 12)
- Assurance of SBDP Goal Form (Attachment No. 13)
- Conflict of Interest Questionnaire (Attachment Nol. 16)

Question #5:

Page 2 and page 12 of the RFP refer to the R.S. Means Facilities Construction Cost Data "for the Houston Region." Please confirm that this means that the Houston City Cost Index is to be applied to each estimate.

HCC Answer:

Yes. R.S. Means Facilities Construction Cost Data based on Houston City Cost Index is to be applied.

Question #6:

Note 2 on the Price Proposal states that the R.S. Means prices "are firm for the term of the contract, and will be replaced each contract term." On page 2, however, the contract term is defined as being five years. Elsewhere on pages 2 and 12, use of "the latest edition" of R.S. Means is referenced. Given the fact that this contract will potentially be awarded on the cusp of a new edition of R.S. Means being published, will HCC allow the contractor to use the latest edition available at the time each job order is awarded?

HCC Answer:

The selected contractor may use the "latest edition" for that particular calendar year.

Question #7:

Which column of the Facilities Construction Cost Data book is to be used, Total Bare Costs or Total Including Overhead and Profit?

HCC Answer:

Please use the column listed as: "Total including Overhead and Profit"

Question #8:

The City of Houston prevailing wage rates provided as Exhibit I in the Sample Contract Documents section appear to be from 2006. Please confirm that these are the wage rates that will apply to this contract.

HCC Answer:

Yes, these are the wage rates that will apply at this time.

Question #9:

Are bond premiums to be included in the coefficient or reimbursed by HCC per job order?

HCC Answer:

Bond premiums are to be included in the coefficient.

Question #10:

The Price Proposal allows the Contractor to bid different coefficients for when the contract amount is \$0-\$2,000,000 and when the contract amount is greater than \$2,000,000. Is this contract amount to be calculated annually, or is it the total over all years of the contract?

HCC Answer:

The selected contractor will use the coefficient based on where a particular job value falls within the range listed.

Question #11:

Please confirm that no bid bond is required with the proposal submission.

HCC Answer:

No bid bond is required.

Question #12:

On page 4, it is written that “each proposer must complete and return the following documents, if appropriate.” Please clarify which of the listed documents are appropriate for an indefinite-delivery, indefinite-quantity job order contract under which no work has been assigned yet.

HCC Answer:

Please see HCC answer to question #4.

Question #13:

Please clarify whether HCC would prefer to receive the Technical and Price proposals as separate volumes or as separate sections within the same volume (e.g., separated by a tab). Please also clarify if HCC has a preference regarding where in the proposal the required completed documents are placed.

HCC Answer:

Please see HCC answer to question #1 and Question #2.

Question #14:

Please clarify if there are any small business certifications other than state HUB certifications required for a business to qualify as a small business under the HCC Small Business Development Program.

HCC Answer:

To be eligible to participate in the HCCS Small Business Development Program firms must have a valid and current certifications as a Small Business Administration (8a) Firm, Historically Underutilized Business or Minority and Disadvantaged Business Enterprise issued by:

- U.S. Small Business Administration
- The State of Texas
- City of Houston
- Metropolitan Transit Authority of Harris County
- Texas Department of Transportation
- Any other entity authorized to issue such certifications, such as, North Central Regional Certification Agency and state agencies

Note: Certifications must be updated every three years.

Question #15:

Please clarify which column in the RS Means is to be used (O&P or Bare Cost)? Will quarterly updates be allowed?

HCC Answer:

Please see HCC answer to question #7. Only annual updates will be allowed.

Question #16:

Please clarify if the Houston City Cost Index weighted average is to be applied to the line items in addition to the coefficient or not?

HCC Answer:

Yes, the Houston City Cost index weighted average is to be applied to the line items in addition to the coefficient.

Question #17:

Is there a minimum and maximum limit on the dollar value of each task order?

HCC Answer:

No.

Question #18:

What is the maximum value of overall JOC contract? is there a guaranteed minimum?

HCC Answer:

No maximum, no guaranteed minimum.

Question #19:

Can you share with us the current JOC contractor coefficient and the annual value of awarded task orders?

HCC Answer:

No. You may request this information under the Texas Public Information Act. Such request should be submitted to the following electronic address: recordsrequest@hccs.edu.

Question #20:

Attachment No. 2, Method of Pricing states RS Means for the Houston region. There is no RS Means for the Houston region. Could this mean RS Means adjusted for the Houston City Cost Index?

HCC Answer:

Please see HCC answer to Question #16.

Question #21:

Attachment No. 2, Note 2 states that RS Means Unit Price Book are firm for the term of the contract. However, Page 2 of the RFP states that the contract term will be five (5) years. Does this mean that both the coefficient and the Unit Price Book will be fixed for the entire five years of the resultant contract?

HCC Answer:

Please see HCC answer to question #6.

Question #22:

The solicitation requires proof that the proposers made good faith effort to inform certified small business about subcontracting opportunities. Please clarify the small business certification requirements (e.g. certified by the state, city of Houston, HCC or other organizations such as Houston Metro).

HCC Answer:

Please see HCC answer to question #14.

Question #23:

Attachment No. 5, Determination of Good Faith Effort requires the proposers to document activities that typically takes place upon award of task orders (e.g. whether the proposer divided the work into reasonable portions, whether the proposer documented reasons for rejection of small business, and whether the proposer negotiated in good faith). At the time of bidding the contract these activities can't take place since we don't know the type, size, or value of the work to be performed. Will HCC accept "To be Determined" answers, will HCC please clarify how to respond to the questionnaire.

HCC Answer:

Please see HCC answer to question #4.

Question #24:

Attachment No. 6, Small Business Unavailability Certificate, will this form not need to be filled out and submitted if the proposer have identified small business subcontractors to participate on this contract?

HCC Answer:

No, please see HCC answer to Question #4.

Question #25:

Attachment No. 7, Small Business Development Questionnaire, as a publicly traded company we can't answer the section about Company Majority Ownership as we don't have a break down by share owners ethnicity. Will HCC accept N/A answer?

HCC Answer:

Yes.

Question #26:

Attachment No. 8, Contractor and subcontractor participation from, at this time of bidding we will not have information to fill out the percentage of contract effort and the price. Will HCC accept "To be determined" designation?

HCC Answer:

Yes, "To be determined" will be acceptable.

Question #27:

The contract payment clause does not contemplate progress payments which are typically permitted on construction contracts with longer durations. Will HCC allow progress payments for partial completion of work, and for material purchased and stored? If so, how will this be accomplished?

HCC Answer:

Yes, HCC will allow progress payments for partial completion of work.

Question #28:

I need to ask about page 12: Proposed Coefficient (the table). How do I complete this? Is there a reference that I can use to complete the table?

HCC Answer:

No recommendations.