

## **QUESTIONS AND ANSWERS**

### **Job Order Contracts (JOC) for Facility Modification and Repair**

#### **Project No. 11-24**

March 02, 2011

To: All Prospective Respondents

From: Houston Community College, Procurement Operations

Subject: Informational Letter #1 – The following questions were received in Procurement Operations within the time period specified in the solicitation document Request for Proposals (RFP) for Job Order Contracts (JOC) for Facility Modification and Repair (#11-24).

#### **Question #1:**

Attachment 2, Price Proposal, Note 2 states that the RS Means prices are firm for the term of the contract. It also states that the proposed coefficient factors shall be firm for the duration of the contract. On page 2 of the RFP, the contract term is defined as being three years. Does this mean both the coefficient and the RS Means prices are fixed for the three year contract term or will HCC allow the contractor to use the latest edition of unit price book as it is published?

#### **HCC Answer:**

Coefficient will be negotiated and a mutual agreement will be made firm for the duration of the contract. Yes, the contract will be for 3 years. Latest annual edition on RS means 2011, 2012 and 2013, however agreed upon coefficient will stay the same for the duration of contract.

#### **Question #2:**

Which column of the unit price book is to be used? Total Bare Cost or Total Including Overhead and Profit?

#### **HCC Answer:**

Far right side – Overhead and profit.

#### **Question #3:**

Attachment 7, Small Business Development questionnaire, Company Majority Ownership Section. As a publicly-traded company, the ethnicity of our stockholders is not known, therefore we cannot answer the question. Will HCC accept "N/A" as an answer?

#### **HCC Answer:**

Yes.

**Question #4:**

Attachment 8, Contractor and Subcontractor Participation Form. Since this is an IDIQ-type contract with no specific task orders at the time of bidding, we will not have information to fill out the percentage of contract effort and the associated price. Will HCC accept "To be determined" as an answer?

**HCC Answer:**

Yes.

**Question #5:**

Section 26.1 of the Draft Contract (page 61) makes reference to Exhibit A as the Historically Underutilized Business (HUB) Policy. However, Exhibit A (page 70) provided with the RFP is the Contract Pricing Coefficients page. Can you please provide a copy of HCC HUB policy?

**HCC Answer:**

HCC does not have a HUB program. HCC has a small business program and the policy is as follows:

**SMALL BUSINESS DEVELOPMENT**

**A. OVERVIEW**

The Houston Community College System will provide better value in procurement efforts because it will foster competition and help avoid discrimination. It will increase procurement opportunities for small businesses, underutilized businesses and disadvantaged businesses. A "small business concern" (Small Business) under this Program is defined to be one that is independently owned and operated and which is not dominant in its field of operation and which meets size standard set forth in 13 CFR, Part 121.

The definition shall vary from industry to industry to the extent necessary to properly reflect industry differences. The Program will:

- (1) Provide a small business outreach program that will strive to increase procurement opportunities with small, disadvantaged and underutilized businesses.
- (2) Require that contractors make good faith efforts to utilize small business subcontractors; Subcontract requirements will vary per contract based on the type of industry and will not exceed 35%.
- (3) Provide technical assistance and design procurements that encourage the participation of small, underutilized and disadvantaged businesses.
- (4) Achieve an average small business participation goal of thirty-five percent (35%). The goal may vary from year to year and vary from industry to industry based on the type of goods and services procured.
- (5) Include effectiveness measurements and a semi-annual report to the Board of Trustees regarding small business participation, outreach activities and related key measurements of effectiveness.

HCCS shall not discriminate on the basis of race, color, national origin, religion, gender and disability in the selection of vendors and shall prohibit vendors from such discrimination in the selection of subcontractors and vendor's employees. HCCS may immediately terminate or disqualify from future contracts a contractor who engages in such discriminatory practices.

**Question #6:**

Page 48, Subsection 8.10 of the RFP states that HCC shall receive at least two hard copies of 2010 RS Means unit price book. Should this be 2011?

**HCC Answer:**

Yes, and every year thereafter for the duration of the contract, 2011, 2012 and 2013.

**Question #7:**

Attachment 5 - Determination of Good Faith, and Attachment 6 - Small Business Unavailability. Since this is an IDIQ-type contract with no specific task orders at the time of bidding, we will not have information at the time of bidding to complete these forms. Are they still required to be submitted with the proposal?

**HCC Answer:**

Yes. Attachment 5: Determination of Good Faith should be completed and returned.  
Attachment 6: Is to be completed only for the firms that were contacted and could not assist in the attainment of the small business goal.

**Question #8:**

Attachment 17, Disclosures – Financial Interests and Potential Conflicts of Interest. The second paragraph states that this form must be received before the vendor's bid will be considered received. By what specific date would HCC prefer to receive this form?

**HCC Answer:**

Attachment 17 should be completed and included with your proposal packet.

**Question #9:**

Will this Job order contract include any heating and ventilation work or is that work performed under other contracts?

**HCC Answer:**

Yes, the JOC will also include HVAC work.

**Question #10:**

Do you have a project cost range for the future projects?

**HCC Answer:**

Average cost range per year has been 4.5 – Million.

**Question #11:**

Is this for all HCC campuses?

**HCC Answer:**

Yes, the J.O.C. will service all HCC locations.

**Question #12:**

Can you tell me what is the Bonding requirement that needs to be included in the proposal?

**HCC Answer:**

Bonds are not required with the proposal. Bonds will be required at the time a purchase order is issued for a specific project or group of projects in excess of \$25,000.00.

**Question #13:**

Should the Price Proposal be submitted within the Technical Proposal or as a separate and distinct volume?

**HCC Answer:**

The Technical and Price Proposals should be packaged as separate volumes, within the proposal packet.

**Question #14:**

On page 1 of the RFP it lists all of the Attachments and Exhibits and states "Forms to be completed and submitted with the Proposal, as appropriate." Similarly, page 4 of the RFP outlines select Attachments that "each proposer must complete and return..." Please clarify if we are required to submit all of the Attachments and Exhibits listed on page 1 or just those outlined on page 4?

**HCC Answer:**

Page 4 shows an outline of all attachments that are required to be submitted with your proposal.

**Question #15:**

The RFP indicates Attachment 7 is to be mailed separately along with the Contractor and Subcontractor/Supplier Participation Form (Attachment 8)? Are Attachments 7 and 8 required to be mailed separately by March 8th (proposal due date) or are they permitted to be submitted after the proposal due date?

**HCC Answer:**

Attachment 7 should be mailed to the address as shown on the attachment or included with technical proposal in a separate envelope.  
Attachment 8 should be included with your Technical Proposal; all are due on March 08, 2011.

**Question #16:**

Is Attachment 7, Small Business Development Questionnaire, to be submitted by the proposer or by individual small business subcontractors contacted by the proposer?

**HCC Answer:**

Attachment 7, Small Business Development Questionnaire is to be completed by proposers.

**Question #17:**

In regards to Attachment 8, since this is a JOC contract and subcontractors will be procured and selected for individual task orders, it is not possible to identify a percentage of contract effort or price for individual subcontractors as of the proposal due date (March 8th). Please clarify how proposers should complete Attachment 8 since this information cannot be determined without individual task order award.

**HCC Answer:**

Please see question #14.

**Question #18:**

Does the coefficient include items from Division 1? (For example, are costs for Project Management, Project Supervision, Office Equipment, etc. to be included in the coefficient.)

**HCC Answer:**

YES, all is to be included in your overall coefficient.

**Question #19:**

In the RFP, Page 18, Section 25-Performance and Payment Bonds states that 100% payment bond is required only for purchase orders over \$25,000 and 100% performance bond is required only for purchase orders over \$100,000 under the JOC contract. This implies that the bonds will be required at the time of purchase order issuance and not at the time of the JOC contract proposal submittal. Also, Section 25 states, "The Performance and Payment Bonds must be submitted to the Purchasing Department within fourteen (14) calendar days after receipt of a copy of the executed contract or a written notice of contract award." However, during the pre bid meeting it was stated that all bidders must furnish payment and performance bonds with the submitted proposal. Please clarify the requirements for payment and performance bonds including when to submit them and their value (e.g. \$100,000 payment bond and \$100,000 performance bond).

**HCC Answer:**

Payment Bond: Required for any job/work order in excess of \$25,000.00, must be included in quotation presented to HCC.

Performance Bond: Required for any job/work order in excess of \$100,000.00, must be included in quotation presented to HCC.

**Question #20:**

Attachment 7 and Page 4, Instructions to Bidders, Item #2 both state that the Small Business Development Questionnaire is to be mailed in a separate envelope from the Proposal. In the Pre-Bid meeting it was said by HCC that this can be mailed together with the Proposal. Please clarify/confirm.

**HCC Answer:**

Please see question #15.

**Question #21:**

Attachment 4 Section 25 (RE: Payment and Performance Bond) Indicates a payment and Performance Bond must be submitted within 14 calendar days after receipt of the executed contract or a written notice of contract award. Other than this stipulation, what is the bonding requirement for the submittal?

**HCC Answer:**

The Contractor will be required to supply the applicable bonds prior to the issuance of a purchase order by HCC and prior to any work being performed. All costs to obtain the applicable bonds are the responsibility of the Contractor. Once a Contractor is selected and a contract is negotiated, in accordance with requirements in the contract, the Contractor will:

- a) Submit a copy of the bonds to their surety company;
- b) The surety company will complete the forms and submit the completed forms DIRECTLY to the HCC Project Manager;
- c) The Project Manager may contact the Surety Company to verify the validity of the submitted documents;
- d) The submitted documents will be submitted to HCC for review and signature;
- e) Upon receipt of the District signature, the Project Manager will begin either the contractual process, or, issue a purchase order for the project.

**Question #22:**

Attachment No. 2, Price Proposal form (RFP page 13), asks for two coefficient sets, one for 0 - \$2M and one for \$2M and above. They are asterisked with the note "Based on cumulative total of the contract amount and not individual purchase orders/work requests". Does the higher volume coefficient apply per contract year or for the contract term (3 years)?

**HCC Answer:**

Contract term, 3 years.

**Question #23:**

How many Job Order Contracts does HCC currently have?

**HCC Answer:**

Two (2).

**Question #24:**

Will the new contract(s) run concurrently with the existing current contracts or replace them?

**HCC Answer:**

New contract(s) will run concurrently until existing open task orders are completed.

**Question #25:**

What are the current coefficients?

**HCC Answer:**

	<u>0-\$2 mil</u>	<u>\$2 mil-above</u>
Standard	0.65	0.63
Non-Standard	0.67	0.65

**Question #26:**

Do you want a list of potential subcontractors, particularly small businesses, to be submitted with the proposal?

**HCC Answer:**

If you know the subcontractors that you will utilize to fulfill the small business goal requirement, you may list them on Attachment 8, if not, once contract(s) have been awarded for work, the applicable small business forms will be required at that time.

**Question #27:**

Which column of the Facilities Construction Cost Data book is to be used for estimating work, Total Bare Cost or Total including Overhead and Profit?

**HCC Answer:**

Please see question #2.

**Question #28:**

Within the sample contract documents provided, section VIII Contractor's General Responsibilities, paragraphs 8.9, 8.10, and 8.11, there is a requirement for providing estimating software, estimating training, software updates, and RS Means hard copies to the owner. Is this expense to be reimbursed by the owner or included by the contractor in their coefficient?

**HCC Answer:**

These requirements will be deleted from the sample contract documents via Solicitation Amendment #1.