

Community Development Block Grant Disaster Recovery Program

REQUEST FOR QUALIFICATIONS (RFQ) FOR RECONSTRUCTION & REHABILITATION CONTRACTOR SERVICES

Purpose of The Request – The Lower Rio Grande Valley Development Council (LRGVDC) developed this Request for Qualifications to select qualified Residential Construction Contractors to support housing demolition, reconstruction, rehabilitation and potentially elevation of owner-occupied single family housing units in the City of Brownsville associated with the Hurricane Dolly Housing Program. The LRGVDC seeks to establish a list of pre-qualified residential reconstruction contractors based on the criteria established in this RFQ. Once the list of pre-qualified contractors has been established, Invitations for Bid (IFB)'s for the construction work will be sent only to those building contractors on the established pre-qualified contractor list.

- I. **Background** – The LRGVDC, through Community Development Block Grant Disaster Recovery Program funding provided by the Texas General Land Office (GLO) and the U.S. Department of Housing and Urban Development (HUD), is implementing a Housing Reconstruction, Rehabilitation, Elevation, Demolition and/or Replacement program. The program consists of single family, owner occupied homes that received damage due to Hurricane Dolly. The units are located in the City of Brownsville. Homeowners apply directly to the LRGVDC for participation in the program and will not directly receive funds under this program. The Community Development Block Grant Disaster Recovery Program requires that assisted housing units meet minimum federal property standards, referred to as Housing Quality Standards (HQS) and local building, health and safety codes at project completion. Pre-qualified contractors on the list will receive and respond to IFBs and perform the applicable contracting activity identified as eligible under the program.

- II. **Scope of Work.** IFBs containing multiple structures will be provided to the pre-qualified contractor list at various intervals over the course of the program. While the scope of work for each individual structure will vary to some degree, the general scope of work and requirements described below remain constant. Contractors will be required to provide individual bids on each structure offered in the IFB, not a single bid for all structures in the package. Contractor requirements include, but are not limited to, the following:
 - a. Receive IFB notice and bid packages provided by the LRGVDC and their agents;
 - b. Review bid packages including work write-ups, plans and specifications and any other documentation maintained by LRGVDC related to each project;
 - c. Attend pre-bid conferences;

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- d. Prepare and submit valid bids within the specified time and in accordance with the plans and specifications provided in the IFB's;
- e. Attend pre-construction conferences and execute contracts;
- f. Coordinate with individual applicants / homeowners upon Notice to Proceed;
- g. Provide contract labor, equipment, and materials adequate to perform the work in accordance with the Scope of Work ensuring all applicable building codes are met;
- h. Meet the 90 day schedule requirement for the start and completion of the job as set forth in the contract;
- i. Be able to receive payments via wire transfer.

III. Contractor Qualifications:

This RFQ and its attachments describe the requirements under which the LRGVDC will approve contractors for the pre-qualified contractor list. As noted in Section IV., the submittal must describe the contractor's qualifications, prior construction experience, financial capability and description of past projects that have been completed which are similar in nature to LRGVDC's proposed projects.

Minimum Qualification Requirements includes:

- a. Contractor's qualifications and experience in construction of residential housing;
- b. Contractor's extent of financial resources available to perform the work;
- c. Contractor's experience in completing projects of a similar nature;
- d. Performance and Payment Bond Capability with \$67,500 per project and \$1,000,000 aggregate capacity;
- e. Insurance in the following limits:
 - General Liability, \$1,000,000 Limit
 - Automobile Liability, \$1,000,000 Limit
 - Worker's Compensation, Statutory by Texas law.
- f. Be lien and judgment free;

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- h. Contractor and sub-contractors must not be debarred, suspended, or ineligible according to the U.S. General Services Administration's List of Parties Excluded from Federal Procurement or Non-Procurement Programs:

<https://www.epls.gov>

and according to the State of Texas Debarred Vendor's List:

http://www.window.state.tx.us/procurement/prog/vendor_performance/debarred/

Other Requirements:

- a. All contractors must secure and provide proof of performance and payment bonds within ten (10) business days of award of bid. Failure to do so may result in termination of award.
- b. Whenever possible, LRGVDC will give opportunities to Historically Underutilized Businesses (HUBs) and will make an affirmative effort to encourage bids from such contractors.
- c. The work to be performed under this contract is on a project assisted under a program providing direct federal financial assistance from the Department of Housing and Urban Development and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u. Section 3 requires that to the greatest extent feasible opportunities for training and employment be given lower income residents of the project area and contracts for work in connection with the project be awarded to business concerns which are located in, or owned in substantial part by persons residing in the area of the project.
- d. Whenever possible, opportunities shall be provided to locally owned businesses and low-income residents in the project area.
- e. LRGVDC may consider a Contractor's adherence to acceptable business practices and criminal history of unsatisfied judgments in determining whether the Contractor qualifies to participate in this program.
- f. Davis Bacon Act: For all construction contracts awarded in excess of \$2,000 when required by Federal Grant Program legislation, both parties hereby agree to comply with the Davis-Bacon Act (40 U.S.C. 276a to 276a-7) as supplemented in Department of Labor Regulations (29 CFR Part 5).

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IV. Submission Requirements. Contractors submitting a response to this RFQ are required to utilize the following format and tab each section accordingly. Do not submit any additional information beyond what is requested in the format below. All responses to this RFQ must consist of an original and five (5) copies (6 total). Each set of (6) qualifications should be sealed in a box and the title of the RFQ (RFQ for Reconstruction & Rehabilitation Services) and the name of the submitting firm should be labeled on the outside of the box. Each qualifications should include the following information and have a tab identifying each of the following sections:

- a. **Table of Contents.** Provide a table of contents covering each section listed under these submission requirements.
- b. **Cover Letter.** Provide a signed cover letter stating the contractor's interest and commitment to participate in the program.
- c. **Statement of Qualifications.** Completely fill out **Appendix A**, providing a summary of your firm's qualifications as it relates to this RFQ. Ensure a contact name, phone number, fax number, and e-mail address is provided for the primary contact of the company. Sign the sworn statement on the last page of the Exhibit A before a notary swearing that all information contained in the Exhibit A is true and accurate.
- d. **Letters of Reference.** Submit five (5) signed letters of reference for whom you have provided residential construction activities, of which at least two (2) references are limited to federally funded customers (Administrators of federal funding similar to HUD) for whom you have provided residential construction activities and such relationship should be identified in the letter.
- e. **Bonding Capacity.** Provide a letter of capacity from your bonding agent stating your single job and aggregate limit of performance and payment bonds. Letter of Bonding capacity must be in the name of the submitting firm and should be dated within six (6) months of the due date of this RFQ.
- f. **Performance History.** Describe how many years you have worked and the approximate number of houses on which you have performed rehabilitation/reconstruction work, and specifically if you have provided work on HUD or other federally funded housing programs. Provide a list of projects completed in the last two years and the amount of each project. Identify those projects which were HUD or otherwise federally funded.
- g. **Proof of Insurance.** Provide a current specimen insurance certificate including the types and amount of insurance you **currently maintain**. Insurance in the following limits will be required under this program:

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General Liability, \$1,000,000 Limit
Automobile Liability, \$1,000,000 Limit (If the company owns autos)
Worker's Compensation, Statutory by Texas law.

- h. **Proof of Local Presence.** Provide a copy of your lease, ownership documentation or most recent utility bill in the name of the submitting firm showing a local address. A local address is defined as one in Cameron, Hidalgo, and Willacy County.
- i. **Section 3 Business Concerns.** According to HUD Section 3 Regulations 24 CFR 135, LRGVDC has a numerical goal to contract with Section 3 businesses on a minimum of 10% of all construction contracts and 3% of all non-construction contracts.
1. A section 3 business is defined as a business:
 - a. That is at least 51 percent or more owned by Section 3 residents,
 - b. Whose permanent, full-time employees include persons, at least 30 percent of whom are currently Section 3 residents, or within three years of the date of first employment with the business concern were Section 3 residents, or
 - c. That provides evidence of a commitment to subcontract in excess of 25 percent of the dollar award of all subcontracts to be awarded to a Section 3 business concern
 2. A section 3 resident is defined as:
 - a. Public housing residents
 - b. Low and very-low income persons who live in the metropolitan area or non-metropolitan county where a HUD-assisted project for housing or community development is located.

Please provide proof of Section 3 business status, if applicable, by completing the form attached as Appendix B, Certification of Section 3 Business.

- j. **Non-Debarment.** Provide Proof of non-debarment from federally funded programs including your Federal ID # or Social Security number if applicable. Locate, print and provide the certification from <https://www.epis.gov> in the exact name of your corporation or the name in which you are submitting your Statement of Qualifications. Also, provide proof of non-debarment from state programs by printing the state debarred vendor's list

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http://www.window.state.tx.us/procurement/prog/vendor_performance/debarred/

- k. **Financial Condition.** Provide a copy of the firms most recently CPA compiled financial statements, including a Balance Sheet and an Income Statement. Bank Statements plus a banking reference may be provided for sole proprietorships, partnerships or smaller firms if CPA compiled financial statements are not available. All documents supporting financial condition should be in the name of the submitting firm or its owner. However, if the submitting firm is a subsidiary and the financial documents are in the name of the parent company, then proof of this relationship is required in the form of a sworn statement.

V. Evaluation Criteria: Statement of Qualifications will be evaluated based on the scoring criteria stated below. Statement of Qualifications must score 70% or above for the submitting firm to be approved as a contractor for this program.

- a. Organization of Statement of Qualifications (0-5 Points)
1. The score for Organization of Statement of Qualifications will be based on the provisions stated under the Submission Requirements section of this RFQ.
 - a. 0 Points: If Statement of Qualifications fails to meet any of the provisions stated in the Submission Requirements.
 - b. 5 Points: If Statement of Qualifications meets all provisions stated in the Submission Requirements.
- b. Number of Years in Business under the name of the submitting firm (0-5 Points)
1. Number of Years in Business will be scored based on the response to Question (5) on the Appendix A: Contractor Statement of Qualifications.
 2. Question (5) asks: "How many years have you been engaged in the contracting business under your present firm name?"
 - a. 0 Points: If the submitting firm was recently formed – less than 6 months from the due date of this Statement of Qualifications.
 - b. 1 Point: If the submitting firm was formed more than 6 months but less than 2 years from the due date of this Statement of Qualifications.
 - c. 2 Points: If the submitting firm was formed more than 2 years but less than 5 years from the due date of this Statement of Qualifications.

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- d. 3 Points: If the submitting firm was formed more than 5 years but less than 7 years from the due date of this Statement of Qualifications.
 - e. 4 Points: If the submitting firm was formed more than 7 years but less than 10 years from the due date of this Statement of Qualifications.
 - f. 5 Points: If the submitting firm was formed more than 10 years from the due date of this Statement of Qualifications.
- c. Letters of Reference (0-5 Points)
- 1. Letters of Reference will be scored based on the documentation provided in the Letters of Reference section of each Statement of Qualifications.
 - a. 0 Points: If the submitting firm fails to provide 5 letters of reference for construction activities.
 - b. 3 Points: If the submitting firm provides 5 letters of references for construction activities but fails to provide 2 of those letters from a federally funded customer.
 - c. 5 Points: If the submitting firm provides 5 letters of references for construction activities of which 2 are from federally funded customers.
- d. Bonding Capacity (0-5 Points)
- 1. Bonding Capacity will be scored based on the documentation provided in the Bonding Capacity section of each Statement of Qualifications.
 - a. 0 Points: If the submitting firm fails to provide the required documentation or demonstrates a single job limit of less than \$67,500.
 - b. 3 Points: If the submitting firm demonstrates a single job limit of at least \$67,500 but an aggregate job limit of less than \$1,000,000.
 - c. 5 Points: If the submitting firm demonstrates a single job limit of at least \$67,500 and an aggregate job limit of at least \$1,000,000.
- e. Residential Reconstruction Experience/Performance History (0-5 Points)
- 1. Information concerning residential reconstruction experience should be provided under the performance history section of each Statement of Qualifications.
 - a. 0 Points: If no residential reconstruction projects have been completed by submitting firm.
 - b. 1 Point: If at least 1 but less than 3 residential reconstruction projects have been completed by submitting firm.

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- c. 2 Points: If at least 3 but less than 5 residential reconstruction projects have been completed by submitting firm.
 - d. 3 Points: If at least 5 but less than 7 residential reconstruction projects have been completed by submitting firm.
 - e. 4 Points: If at least 7 but less than 10 residential reconstruction projects have been completed by submitting firm.
 - f. 5 Points: If 10 or more residential reconstruction projects have been completed by submitting firm.
- f. Experience with HUD or other federally funded projects/Performance History (0-5 Points)
- 1. Information and Identification of HUD or other federally funded housing projects should be listed under the performance history section of each Statement of Qualifications.
 - a. 0 Points: If no HUD or other federally funded projects have been completed by submitting firm.
 - b. 1 Point: If 1 HUD or other federally funded project has been completed by submitting firm.
 - c. 2 Points: If 2 HUD or other federally funded projects have been completed by submitting firm.
 - d. 3 Points: If 3 HUD or other federally funded projects have been completed by submitting firm.
 - e. 4 Points: If 4 HUD or other federally funded projects have been completed by submitting firm.
 - f. 5 Points: If 5 or more HUD or other federally funded projects have been completed by submitting firm.
- g. Proof of Insurance (0-5 Points)
- 1. Proof of Insurance will be scored based on the documentation provided under the Proof of Insurance section of each Statement of Qualifications.
 - a. 0 Points: If no documentation related to proof of Insurance is provided.
 - b. 5 Points: If all insurance specimens requested are provided in the Statement of Qualifications.
- h. Local Presence (0-5 Points)
- 1. Local Presence will be determined based on the documentation provided under the Proof of Local Presence section of each Statement of Qualifications.
 - a. 0 Points: If no documentation related to proof of local presence is provided.
 - b. 5 Points: If sufficient proof is provided that the submitting firm currently has a local office.

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- i. Section 3 Business (0-5 Points)
 1. Section 3 Businesses will be given this preference based on the information provided on the form in Exhibit B.
 - a. 0 Points: If no or unqualified documentation is provided.
 - b. 5 Points: If qualified documentation is provided.
- j. Financial Stability (0-5 Points)
 1. Financial Stability will be determined based on the documentation provided under the Financial Condition section of each Statement of Qualifications.
 - a. 0 Points: If required documentation is not provided.
 - b. 1 Point: If current assets or account balances are at least \$22,275.00 (33% of \$67,500) but less than \$44,550.00 (66% of \$67,500).
 - c. 2 Points: If current assets or account balances are at least \$44,550.00 (66% of \$67,500) but less than \$67,500 (reconstruction single home cap).
 - d. 3 Points: If current assets or account balances are at least \$67,500 (1 home) but less than \$540,000.00 (\$67,500x8 homes).
 - e. 4 Points: If current assets or account balances are at least \$540,000.00 (\$67,500x8 homes) but less than \$1,080,000 (\$67,500x16 homes).
 - f. 5 Points: If current assets or account balances are at least \$1,080,000.00 (\$67,500x16 homes).

LRGVDC is not required to use low cost as the basis for establishing a list of pre-qualified contractors.

VI. LRGVDC reserves the right to:

- a. Contract with the most qualified contractors based on the criteria stated herein and their responses to IFB's.
- b. Reject Statement of Qualifications that fails to meet the stated criteria.
- c. Re-advertise this RFQ if adequate interest is not received.
- d. Not award a construction project to any contractor on the pre-qualified list merely because the person or firm meets the minimum qualifications to be included on the pre-qualified contractor list.
- e. Remove Contractors from the pre-qualified list for reasons including but not limited to:

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1. Contractor's failure to meet the requirements stated in this RFQ;
2. Contractor's failure to perform the work required in the Contractor's Contract;
3. Contractor's inability to establish and maintain a consistent working relationship with applicants;
4. Contractor's proven incapacity to perform the work described in this RFQ or in the Contractor's Contract;
5. Contractor's failure to secure the required bonding and insurance;

VII. LRGVDC Contact and Schedule

Complete sealed Statement of Qualifications must be submitted in person, by U.S. Mail or other parcel carrier. Responses must be received in the LRGVDC's Offices on or before **December 16, 2011** by **2:00 p.m.** LRGVDC strongly recommends all submitting firms to submit Statement of Qualifications at least one hour early to ensure acceptance. The official time will be kept by LRGVDC. Each Statement of Qualifications will need to be time and date stamped by an LRGVDC representative before it is accepted. **NO LATE SUBMISSIONS WILL BE ACCEPTED.** An official bid opening will take place at the LRGVDC's Offices 2:30 p.m. on **December 16, 2011** however Statement of Qualifications will be reviewed at a later time.

COMMUNICATION DURING THE BIDDING PROCESS

It is not appropriate for you or your team members to have direct communication with any members of the Lower Rio Grande Valley Development Council (LRGVDC) staff outside of the formal in-session communications arranged by the Procurement Director.

Any attempt by one of the respondents to have direct or indirect communication with the Lower Rio Grande Valley Development Council (LRGVDC) staff outside of a committee session must be avoided and reported immediately to the Procurement Director.

Applications may be mailed or hand-delivered to:

**Lower Rio Grande Valley Development Council
Procurement Department
Attn: Victor Morales
901 West Railroad
Weslaco, TX 78596**

Review of the Statement of Qualifications will be conducted and applicants will be notified within 30 days of the due date. The LRGVDC intends to create a pre-qualified list of bidders for the construction projects under the program no later than January 31, 2012.

All decisions made by the LRGVDC of the approved list of contractors will be final. Any challenges or appeals should be made to GLO.

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Additional information can be requested by contacting Victor Morales at the address above, or by e-mail at vmorales@lrgvdc.org . All questions may be submitted via mail, or email until **December 9, 2011**. All questions and responses will be made available to all applicants on the LRGVDC website by **5:00 p.m. December 12, 2011**.

- VIII. Open Records.** Information submitted to LRGVDC is public information and is available upon request with the Texas Information Act, chapter 552 of the Government Code (the "act").

An exception is stated in section 552.104 concerning information related to competition or bidding. This section states that "information is excepted from the requirements of Section 552.021 if it is information that, if released, would give advantage to a competitor or bidder." Pursuant to these sections of the Government Code, LRGVDC will only release the names of the bidders, the scoring criteria, and a scoring summary. Information concerning financial information that may be included in the scoring summary will be redacted pursuant to section 552.110 of the Government code which states that, "commercial or financial information for which it is demonstrated based on specific factual evidence that disclosure would cause substantial competitive harm to the person from whom the information was obtained is excepted from the requirements of Section 552.021.

- IX. Cost Incurred Responding.** All costs directly or indirectly related to the preparation of the response to this RFQ shall be the sole responsibility of and shall be borne by, the contractor.

APPENDIX A
CONTRACTOR STATEMENT OF QUALIFICATIONS

APPENDIX A

CONTRACTOR STATEMENT OF QUALIFICATIONS

All questions must be answered and the date given must be clear and comprehensive. **This Statement of Qualifications must be typewritten and notarized.** If necessary, add separate sheets for items marked with an *.

1. Name of Contractor:
2. Permanent main office address:
Local office address:
 a. Office Phone #: Cell #:
 Email Address:
3. Year organized:
4. Year incorporated:
5. How many years have you been engaged in the contracting business under your present form name?
6. Number of employees and annual gross revenue of company:
 Employees: Annual Gross Revenue: \$
7. *Contracts currently awarded or active: (List these, showing gross amount of each contract and the approximate anticipated dates of completion.)

Name of Project	Gross Amount	Approximate completion
	\$	
	\$	
	\$	
	\$	
	\$	

8. *General description of work performed by your company:
9. *Have you ever failed to complete any work awarded to you? Yes No
If yes, please explain:
10. *Have you ever defaulted on a contract? Yes No
If yes, please explain:
11. *List the most relevant type of projects recently completed (last 2 years) by your company, stating approximate cost for each, and the month and year completed.

Name of Project	Approximate Cost	Month/Year Completed
	\$	
	\$	
	\$	
	\$	
	\$	

12. *Experience in construction work similar to this project:
13. Furnish current Registration(s) and/or Licenses(s) held by company (include as attachment)

STATEMENT OF BIDDER'S CONSTRUCTION EXPERIENCE

I, _____, swear under penalty of perjury under the laws of the State of Texas
(Printed Name of Bidder)
that the answers to the foregoing questions and all Statements therein contained are true and correct.

Sworn this _____ day of _____ 20____ at _____
(Date) (Month) (Year) (City & State)

(Signature of Bidder) (Title of Bidder)

State of _____

County of _____

On _____ before me _____ personally appeared. _____
is personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name
is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her
authorized capacity and that by his/her signature on the instrument, the person or the entity upon behalf of
which the person acted executed the instrument. WITNESS my hand and official seal.

Notary Signature and Seal

***** THIS FORM MUST BE SUBMITTED WITH THE PROPOSAL *****

**CERTIFICATION FOR BUSINESS CONCERNS SEEKING SECTION 3
PREFERENCE IN CONTRACTING AND DEMONSTRATION OF CAPABILITY**

Name of Business _____

Address of Business _____

Type of Business: Corporation Partnership
 Sole Proprietorship Joint Venture

Attached is the following documentation as evidence of status:

For Business claiming status as a Section 3 resident-owned enterprise:

- | | |
|--|---|
| <input type="checkbox"/> Copy of resident lease | <input type="checkbox"/> Copy of receipt of public assistance |
| <input type="checkbox"/> Copy of evidence of participation
in a public assistance program | <input type="checkbox"/> Other evidence |

For business entity as applicable:

- | | |
|---|---|
| <input type="checkbox"/> Copy of Articles of Incorporation | <input type="checkbox"/> Certificate of Good Standing |
| <input type="checkbox"/> Assumed Business Name Certificate | <input type="checkbox"/> Partnership Agreement |
| <input type="checkbox"/> List of owners/stockholders and
% ownership of each | <input type="checkbox"/> Corporation Annual Report |
| <input type="checkbox"/> Organization chart with names and titles
and brief function statement | <input type="checkbox"/> Latest Board minutes appointing officers |
| | <input type="checkbox"/> Additional documentation |

For business claiming Section 3 status by subcontracting 25 percent of the dollar awarded to qualified Section 3 business:

- List of subcontracted Section 3 business(es) and subcontract amount

For business claiming Section 3 status, claiming at least 30 percent of their workforce are currently Section 3 residents or were Section 3 eligible residents within 3 years of date of first employment with the business:

- | | |
|--|--|
| <input type="checkbox"/> List of all current full-time employees | <input type="checkbox"/> List of employees claiming Section 3 status |
| <input type="checkbox"/> PHA/IHA Residential lease less than 3
years from day of employment | <input type="checkbox"/> Other evidence of Section 3 status less than 3
years from date of employment |

Evidence of ability to perform successfully under the terms and conditions of the proposed contract:

- Current financial statement
- Statement of ability to comply with public policy
- List of owned equipment
- List of all contracts for the past two years

Authorizing Name and Signature

(Corporate Seal)

Attested by: _____