

**Wheatley Courts CNI Phase II and III
Public Improvements
Request for Contractor Proposals
June 10, 2015**

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PROJECT OVERVIEW

Introduction

This Request for Proposals (RFP) is for Phase II and III Public Improvements for the future construction of Wheatley Courts Choice Neighborhood Initiative (CNI) on-site housing of 215 residential units and commercial space. McCormack Baron Salazar Development, Inc. as contract Owner and as independent contractor for the San Antonio Housing Authority (SAHA) is issuing the RFP to interested and qualified Contractors. Proposals are due by 4:00 PM CST on July 8, 2015 and all responding contractors do so at their own expense and risk.

McCormack Baron Salazar has distinguished itself since the early 1970's as a leading for-profit residential development and management company committed exclusively to urban neighborhoods. Often called upon by cities to provide housing opportunities in difficult to develop areas, McCormack Baron Salazar has also developed in many other locations. The firm has moved from restoring single historic buildings during its early years to undertaking multi-block development projects including both market-rate and affordable housing. Its more recent projects often involve a combination of rehabilitation and new construction as part of a comprehensive plan to create new neighborhoods. Its larger scale residential projects often stimulate new private investment in the community, either by single-family homebuyers or by retail and commercial businesses. The firm has developed new housing in many urban historic districts and sites, while at the same time recreating historic and contextual architectural features as well as developing new social and economic environments in non-historic districts.

McCormack Baron Salazar developments are also characterized by a blend of financing sources - both public and private. Its financing techniques incorporate a variety of funding approaches utilizing federal, state, and local programs where available, tax-exempt financing, conventional loans, pension funds, foundation loans and grants, and equity from the private sector. During the course of its development activities in local communities, the firm has successfully created relationships with local government, the private sector, community-based organizations, and foundations.

In the past forty (40) years, the firm has completed over one hundred sixty (160) projects with a development cost of \$2.6 billion in urban neighborhoods around the country. It has developed nearly 17,143 housing units and 1.3 million square feet of retail/commercial space.

The foundation community has also seen the value in many McCormack Baron Salazar projects. To date, approximately \$21 million has been invested by various foundations including: Ford, Pittsburgh, Heinz, Mellon, Hall Family (Hallmark), Cleveland, Gund, and other corporate funds.

Transformation Plan Concepts

The Wheatley Courts CNI development is part of a greater strategy for the revitalization of the Plan Area. The Wheatley Courts CNI redevelopment is a key part of and will complement the CNI strategy by creating housing opportunities for households with a variety of incomes who can

support the nearby retail establishments, creating a visually attractive presence in the neighborhood.

The proposed Transformation Plan for the Wheatley Courts CNI development includes 417 new mixed-income units built in the style of historical residential buildings in San Antonio East Point Neighborhood and “New Urbanism” design principles. A mixed-income strategy will be used which incorporates affordable housing for low and very low income, workforce, and market rate residents into this revitalized community. The affordable, work force, and market rate units will be mixed within all buildings, and the units will be indistinguishable from one another. This Housing development is part of the on-site rental Housing development that will follow the Site Preparation work and is not part of this RFP.

The Transformation Plan is substantially formed by the following concepts: 1) Compact, Pedestrian-Friendly Design with Interconnected Streets and Open Spaces; 2) Defensible Spaces; and 3) Integrated, Appealing Architecture, and 4) Responsive Unit Design.

The re-establishment of a street network that links the site to the adjacent neighborhood is a very important design concept. Rebuilt streets create a network of traditional, residentially scaled blocks. The street network is part of the public improvements work planned for this neighborhood area and is a part of this RFP.

Phasing

Public Improvements work is scheduled to begin in the August 2015 with rental housing construction underway since the spring of 2015. Public Improvements involves nine streets around the four housing blocks, Blocks A, B, C, and D. Housing on Block D is planned to begin first and the sequence to follow will be Block A, then Block B and finish on Block C with substantial completion by November 16, 2016. The Public Improvements work is required to coordinate with and following the sequence and progress of the Housing work, and be finally substantially completed by December 16, 2016.

PHASE II AND III PUBLIC IMPROVEMENTS

Major Components of Redevelopment Work

There are three major components of work for Wheatley Courts CNI Phase II and III Development. They are listed and defined as follows:

- 1) **Site Preparation of On-Site Housing Development Area:** Demolition of the existing structures and utilities occupying the Phase II and III site is required. SAHA is responsible for delivering to the on-site housing partnership, a “clean and buildable site” on which to build. The scope of work within this category is defined as mass grading; earthwork; existing soil fill excavation and placement; soil balancing and backfilling; soil exchanges, soil correction, soil compaction of graded fill; removal, partial recycling, and disposal of forty (40) buildings, slabs, foundations, Ida Aldridge street, and its utilities;

clearing and grubbing, removal and disposal of debris, vegetation, and selected trees. The grades left after site preparation will be within one inch, plus or minus, of the proposed sub-grade building pads, parking lots and adjacent landscape areas with sloped drainage transitions including erosion sedimentation and drainage controls per Storm Water Pollution Prevention Plan (SWPPP) and the proposed grades and site elevations. All utility laterals from the buildings to the utility mains for each existing building will be removed and capped either at the ROW line or at the utility main line within the right-of-ways, and all right-of-way surfaces shall be temporarily patched by the Site Preparation Contractor per the requirements of each specific utility provider and the City of San Antonio, TX. **Site Preparation work is completed and is NOT a part of this RFP.**

- 2) **Housing Construction:** The future Phase II of Housing consists of 215 units with associated site improvements and amenities. The design/pricing documents are being prepared by KAI Texas to detail the scope of work to be included under a future RFP. Remediation, Demolition and Site Preparation when it is accomplished by the Site Preparation Contractor, will thereby allow the Housing Contractor to begin foundation work. **Housing construction work is NOT part of this RFP and is presently under construction.**
- 3) **Public Improvements:** Plans and specifications have been prepared detailing the scope of work to be performed in the City's right-of-ways around the Phase II and future Phase III housing development. As a part of the redevelopment of the community, some of the street right-of-ways will be reconstructed and other street segments with utility excavations will be patched, milled and overlaid with new asphalt. New curbs, drive aprons, streetlights, sidewalks, street trees and other landscaping, asphalt paving, signage and striping will be installed as a part of this Public Improvements Phase II and III effort. Additionally, all new and rework of utility mains within the new and existing right-of-ways will be part of this scope of work. **Public Improvements work is a part of this RFP.**

All contractors must meet the approval of McCormack Baron Salazar Development, Inc., SAHA, and the City of San Antonio, TX. McCormack Baron Salazar Development, Inc., reserves the right to reject any or all proposals, to waive informalities or irregularities in any proposal, to advertise for new proposals, or to proceed to do this work by other means, as determined to be in the best interest of the new community. Any and all Contractors which respond to this RFP, do so at their own cost and risk.

Project Principals

- A. The contract Owner of the Phase II and III Public Improvements construction is McCormack Baron Salazar Development, Inc., an affiliate of McCormack Baron Salazar working as an independent contractor for SAHA.
- B. The members of the Public Improvement Design Team are as given on the coversheet of the construction/pricing drawings. All questions should be

addressed to KAI Texas. The contact person for KAI Texas is Mr. Tony Summers. He can be reached by telephone at (314) 241-8188.

Project Finance

- A. SAHA is providing funding assistance to the Phase II and III Public Improvements from HUD and from other sources.

Scope of Services

McCormack Baron Salazar Development, Inc. is hereby requesting proposals from Contractors for the Public Improvements construction of Wheatley Courts CNI Phase II and III. Public Improvements includes but is not limited to the following:

The Public Improvements Contractor team shall construct the Wheatley Courts CNI Phase 2 & 3 Public Improvements surrounding the proposed CNI Housing redevelopment per attached Revised Site Plan. The Public Improvement Contractor will coordinate with the Housing Contractor who will be providing the following proposed elements: new sustainable housing construction, on-site improvements with utilities, connections to public utilities in adjusted right of ways, Arthur Street linear park, vacation of Ira Aldridge Street and the widening of Lamar Street, and site improvements, including some existing trees to remain. The PI Contractor will coordinate with all Authorities with jurisdiction over the proposed Phase 2 & 3 Public Improvements design and construction, and coordinate with the Housing Contactor as required to complete the basic public improvements construction services work scope summary as listed below.

Public infrastructure around the Rental Housing Development site will include new and reworked utility infrastructure and streetscape improvements in existing and reworked perimeter streets per the following existing street list. The proposed Public Improvements planned for Wheatley Courts Phase 2 & 3 involve the following street lengths or partial width street lengths from intersection to intersection, as shown in the Public Improvements construction/pricing documents. See attached Public Improvements construction pricing documents for the following streets segments and work scope:

1. Gabriel Street from Gevers St. to Mittman St.
2. Gabriel Street from Mittman St. to Hudson St.
3. Lamar Street from Gevers St. to Mittman St.
4. Lamar Street from Mittman St. to Hudson St.
5. Hays Street from Mittman St. to Hudson St.
6. Hays Street from Hudson to Walters St.
7. Burnett Street from Hudson to Walters St.
8. Gevers Street from Gabriel St. to Arthur St.
9. Arthur Street from Gevers St. to Mittman St.
10. Mittman Street from Gabriel St. to Lamar St.
11. Mittman Street from Lamar St to Hays St.
12. Partial width of Hudson Street (west side) from Gabriel St. to Lamar St.
13. Partial width of Hudson Street (west side) from Lamar St to Hays St.

14. Partial width of Hudson Street (east side) from Hays St. to Burnett St.
15. Partial width of Walters Street (west side) from Hays St. to Burnett St.

Public Improvements General Scope:

- Removal, relocation, installation, and/or replacement of water, sewer, gas, electric, cable, and storm utilities within the public ROW to support the Wheatley Courts CNI redevelopment and adjacent area.
- Removal and replacement of existing streetscape with new streetscape.
- Removal, replacement, relocation, rerouting, or extension of underground utilities (water, sewer, storm, gas, electric, cable) in reworked existing streets.
- New 6" high vertical curb and gutter with bump out curbs at all intersections and mid-block locations as designed.
- Mill entire width roadway sections of all above listed full width and half width noted streets and at all patched roadway areas of demolition, relocation and/or replacement of existing utility locations, and at installation locations of all new utilities.
- Install new storm inlets at locations indicated and as required. Provide sloped and graded gutters at recessed parking bays and driveway curb cuts as required to eliminate trapped storm water.
- Provide street trees between streetlights at approximately 137'- 0" oc. maximum spacing and are staggered on the opposite street side and at gaps spaced as required at intersections and driveway curb cuts.
- 14'-0" high decorative streetlight poles with LED lamp tops connected by underground conduit and wiring alternating between trees at approximately 137'-0" oc. maximum and staggered at approximately 68'-0" oc. on the opposite street side to provide uniform street lighting distribution.
- New 4' wide concrete sidewalks, handicap curb cuts and drive aprons with sod planted verge/parkway strip between walk and 6" vertical concrete street curb.
- 9'-0" wide multi-use concrete and paver pathway for pedestrians and bicycles along Lamar St. from Gevers St. to Hudson St.
- Provide new street furniture and appurtenances including street signs, street stripping for traffic and bicycle pathway control, benches, VIA bus stop and trash receptacles as appropriate for pedestrian, bus rider, bicyclist, and driver utilization.

PERMIT, FEES, TESTING, TAXES, BONDS AND INSURANCE:

The Public Improvements Contractor shall obtain all required permits and will include the cost of all required permits, testing, fees and taxes in its proposal. The Public Improvements Contractor shall secure and pay for any and all permits and permit fees before commencement of construction. As part of its proposal, the Public Improvements Contractor shall submit its current contracting license as issued from the City of San Antonio, Bexar County, or the State of Texas. Payment and Performance Bonds or a Letter of Credit are required as well as complete insurance coverage including Environmental Pollution Liability coverage.

CONTRACTOR'S USE AND CARE OF THE SITE:

The Public Improvements Contractor shall have full use of the street ROWs which surrounds the four blocks of development; Blocks A, B, C, and D. Contractor will be required to allow reasonable and clear access to the Wheatley Middle School, adjacent churches and existing occupied residences. In addition, cleaning up of tracked soil on road surfaces, sidewalks, and curbs must be maintained as required by the City of San Antonio during the performance of authorized work as shown in the construction documents while maintaining SWPPP as indicated in the construction documents.

RFP Schedule

- A. A pre-RFP meeting is scheduled on **June 17, 2015 and is required for all interested Prime contractors** that plan to submit a RFP response. The pre-RFP meeting will start at **9:00 am in the Atrium of the San Antonio Housing Authority, 818 S. Flores Street.**
- B. Responses to the Public Improvements RFP and Design/Pricing Documents must be received on **July 8, 2015 by 4:00 PM CST** at the offices of **McCormack Baron Salazar, 454 Soledad Street, Suite 300, San Antonio, TX 78204, with Attention: Louis Bernardy.** An interview may be scheduled with each potentially successful Contractor to review its RFP responses and proposal.
- C. Public Improvements Contractor must submit backup subcontractor bids/proposals and its Section 3/MWBE Business and Labor Participation Plan must be received by McCormack Baron Salazar on **July 10, 2015 by 4:00 PM CST.**
- D. On **July 16, 2015**, McCormack Baron Salazar plans to interview potential contractors with their submitted RFP responses.
- E. Award of the successful contractor is planned to occur by **July 23, 2015.**
- F. Construction is planned to commence any time after receipt of a Notice-to-Proceed which is planned to occur near **August 5, 2015.**
- G. Substantial completion of the entire project of Public Improvements Construction is planned to occur by **December 16, 2016.** McCormack Baron Salazar wants to proceed and complete the work expeditiously, but wants the Contractor to submit the most cost effective Public Improvements construction proposal and schedule.

Pricing Parameters

- A. **Form of Cost:** Submit your costs on the Proposal Breakdown Form as provided in the Project Manual, plus any supplementary information requested herein. Provide the following breakdowns for evaluation (see Division 00, Exhibit A in the specifications):

1. Public Improvements Phase II and III Summary (Per Proposal Breakdown Form) by **July 8, 2015**
 2. Public Improvements Phase II and III Breakdown by **July 10, 2015**
 - a) Public Improvements Work by Street segment from intersection to intersection (per Proposal Breakdown Form) by:
 1. Gabriel Street from Gevers St. to Hudson St.
 2. Lamar Street from Gevers St. to Hudson St.
 3. Hays Street from Mittman St. to Walters St.
 4. Burnett Street from Hudson to Walters St.
 5. Gevers Street from Gabriel St. to Arthur St.
 6. Arthur Street from Gevers St. to Mittman St.
 7. Mittman Street from Gabriel St. to Hays St.
 8. Partial width of Hudson Street to Burnet St.
 9. Partial width of Walters Street (west side) from Hays St. to Burnet St.
 - b) Allowances (See Project Manual)
 - c) Alternates (See Project Manual)
 - d) Unit Prices (See Project Manual)
 - e) Voluntary Alternates/Value Engineering (by Contractor)
 - f) Self-Performed Work (per Proposal Breakdown Form)
 - g) Subcontractor Breakdown (per Proposal Breakdown Form)
 - h) MWBE/Section 3 (per Proposal Breakdown Form)
- B. **Self-Performed Work:** On a Proposal Breakdown Form, on which you prepare, indicate the value of subcontracting and supplier work, which will be provided by your own forces or by a subcontractor/supplier affiliated with your construction company or with family members or principals of your construction company. Follow the same order as on the Proposal Breakdown Form.
- C. **Assurance Guarantee (Bonds):** A bid security is not required with this proposal. However, either a 100% payment and performance bond for the contract amount, or an unconditional letter of credit for 25% of the contract amount, will be required after award and before notice-to-proceed, which shall be acceptable to McCormack Baron Salazar Development, Inc., SAHA, and the city of San Antonio. Indicate this cost on the breakdown and submit proof of bonding capacity from your surety or provide a letter from your bank indicating a letter of credit will be provided without conditions.
- D. **Wage Rates:** Base your estimate on paying the Davis Bacon Prevailing Residential Wage Rate in effect at the time of signing of the construction contract, which date should be close to or coincident with the execution of contract and the anticipated NTP date of August 5, 2015. All work will be subject to the Davis Bacon Prevailing Residential Wage Rate. A copy of the current residential wage rate schedule applicable to this project is included in the design specifications. It may be revised by DOL prior to contract execution; if so the successful Contractor will be notified when it does and shall account for the revisions in its proposal without cost to the Owner.

E. Pricing Documents: The documents to price are the completed Public Improvements construction documents. They are the design/pricing set for the Wheatley Courts CNI Phase II and III Public Improvements. By responding to this RFP it is expected that your company is experienced and your company is expected to know what is required to complete the Public Improvements Work Scope around a multi-family housing development within an existing neighborhood area. It is also expected that your Guaranteed Maximum Price proposal will include all that is required to complete the Public Improvements Work Scope. Where you have to make assumptions, they should be documented and noted, and be consistent with the quality standards and details used in the specifications and drawings.

If you would like to inspect the site, please notify Mr. Tony Summers of KAI Texas immediately at (314-241-8188). The streets are visible around the perimeter of the development area without an appointment. If you still cannot find satisfactory guidance from inspecting the site, you can also submit a written request for guidance to Tony Summers of KAI Texas at a summers@kai-db.com. All such written clarifications will be communicated to other participating Contractors. In the event time does not permit you to seek clarifications, you must include a reasonable amount in your proposal, which is representative to provide a complete project. Identify what you have assumed and included.

F. Value Engineering/Voluntary Alternates: As a part of the evaluation of the RFP responses, value engineering/voluntary alternate suggestions are encouraged. In order to evaluate the significance of a suggestion, reasonable cost as to worth must accompany the suggestion. It is expected that these will be real costs, which will retain the same order of magnitude when the details are flushed out as construction documents. However, in order to be able to compare "apples to apples" among the proposals, it is essential that your base cost proposal be for the project as documented and as can best be assessed and assumed from the drawings and specifications presented.

G. Testing: All testing described within the documents will be the responsibility of the Contractor.

H. Alternates: Refer to Specifications for requested itemized alternates. All Contractors **must** price the base documents and submit their cost on the Proposal Breakdown Form within each page and item. Any and all alternates given in the specifications must be offered as adds or deducts against the base bid, including general requirements, overhead, profit, bond or Letter of Credit fee and taxes.

I. Cost Certification: Cost auditing will be required by an independent accountant secured and paid for by the Contractor at the completion of the job. The cost for this service should be included in the estimate and should be so identified in other fees, on the proposal breakdown form. This subcontractor must also be **included within the SMWBE Business and Labor Plan.**

J. Insurance: See the Insurance Requirements Summary in Division 00, Exhibit D of the specifications. Contractor will provide its insurance certificate and its insurance coverage binder, if required, to the Owner.

- K. Temporary Facilities: Site security and other fire and safety parameters given in Temporary Facilities in the specifications must be included and the cost thereof will be required of the Contractor and can be included in General Conditions cost.
- L. Permits, Fees, Taxes, Tests and Inspections: All permits, fees, taxes, and testing specified will be by the Contractor. The general construction permit and all other permits, fees, inspections, etc., as noted in the AIA A-201 General Conditions, must be provided, including any utility disconnection, demolition, or reconnection fees. Specified tests and testing shall be the Contractor's responsibility.
- M. Construction Documents: The Contractor will be furnished one CD and one full set of the drawings and specifications. Additional copies can be obtained by the Contractor from the CD that is provided. The cost of additional printing can be included as a General Conditions cost. Documents will also be on file for examination at the following locations:
 - 1. San Antonio Housing Authority
818 South Flores
San Antonio, TX 78202
(210) 477-6455
Mobile: (210) 389-4834
Attn: Lorraine Robles, Interim Director
Development Services & Neighborhood Revitalization
lorraine_robles@saha.org
 - 2. San Antonio Chapter of the Associated General Contractors
10806 Gulfdale
San Antonio, Texas 78216-3607
(210) 349-4921
Fax: (210) 349-4017
SANANTONIOAGC@GMAIL.COM
 - 3. McGraw-Hill Construction Dodge Plan Room
MHC/ReproMAX Thomas Reprographics
1223 Arion Parkway, Suite 108
San Antonio, TX 78216
(210) 829-7000
Fax: (210) 495-0557
cad41@thomasrepro.com
 - 4. Virtual Builder's Exchange of Texas
4047 Naco Perrin, Suite 100
San Antonio, TX 78217
(210) 564-6900
Fax: (210) 564-6902
jeannette@virtualbx.com

5. Amtek Information Services
7801 N. Lamar, Ste. A 137
Austin, TX 78752
(512) 323-0508
Fax: (512) 323-0920
austinplanroom@amtekusa..com
 6. Isqft Planroom Construction Software Technologies, Inc.
4500 Lake Forest Drive Ste. 502
Cincinnati, Ohio 45242
Toll Free: 1-800-364-2059 Ext 7075
Local: (513) 645-8004
Fax: (513) 645-8005
isqftmr@gmail.com
 7. Associated Builders and Contractors, South Texas Chapter
814 Arion Pkwy, #204
San Antonio, TX 78216
(210) 342-1944
Fax: (210) 342-5385
steve@abcsouthtexas.org
- N. Public Improvements Sequencing: The following work sequence is provided to the Contractor for its coordination with the Housing work. The sequence for the Public Improvements for Phase II and III is provided within the Construction Documents. Street segments that occur around each block are as follows:
1. Streets around Block D:
 - a) Partial width of Walters Street (west side) from Hays St. to Burnet St.
 - b) Burnett Street from Walters St. to Hudson St.
 - c) Partial width of Hudson Street (east side) from Burnet St. to Hays St.
 - d) Hays Street from Hudson to Walters St.
 2. Streets around Block A and Neighborhood Park:
 - a) Gabriel Street from Gevers St. to N. Mittman St
 - b) N. Mittman Street from Gabriel St. to Lamar St.
 - c) Lamar Street from N. Mittman St. to Gevers St.
 - d) Gevers Street from Arthur St. to Gabriel St.
 - e) Arthur Street from Gevers St. to N. Mittman St.
 3. Streets around Block B:
 - a) Gabriel Street from N. Mittman St. to Hudson St.

- b) Partial width of Hudson Street (west side) from Gabriel St. to Lamar St.
 - c) Lamar Street from Hudson St. to N. Mittman St.
 - d) N. Mittman Street from Lamar St. to Gabriel St.
4. Streets around Block C:
- a) Lamar Street from N. Mittman St. to Hudson St.
 - b) Partial width of Hudson Street (west side) from Lamar St. to Hays St.
 - c) Hays Street from Hudson St. to Mittman St.
 - d) Mittman Street from Hays St. to Hays St.

Summary of Contract Terms

- A. AIA Document A305 – Contractor’s Qualification: Each respondent will be required to submit an AIA Document A305 – Contractor’s Qualification. The information submitted within this document may be reviewed, analyzed and approved by SAHA, COSA, and McCormack Baron Salazar. This review is to insure that each respondent is financially viable and has the experience, ability and capacity to perform the required scope of work.
- B. Joint Ventures: If a joint venture is to be used on this project, submit detailed information on all participants and entities, the degree of participation of each, previous experience together and limits of insurance coverage. Provide the executed arrangement, agreement or terms between the parties.
- C. HUD Form 2530 – Previous Participation: Each respondent will be required to submit a HUD Form 2530 – Previous Participation. The information submitted within the document will be reviewed, analyzed and must be approved by SAHA, HUD, and McCormack Baron Salazar. This review allows MBS, SAHA, and HUD to examine the respondent’s track record on other HUD-funded developments on which the respondent has previously worked, as well as insure that each respondent is not in default with HUD and has the experience, ability and wherewithal to perform the required scope of work.
- D. Agreement: Included within the Project Manual are samples of the AIA A-102 Standard Form of Agreement between Owner and Contractor, the AIA A-201 General Conditions, with Addendum and Supplementary Conditions. These are the forms which have been utilized by McCormack Baron Salazar, for use on like projects as this one and will be applicable to this Work. A single construction contract will be executed for the Public Improvements Work.

The selected Contractor will enter into an agreement with McCormack Baron Salazar Development, Inc. in a form and substance acceptable to McCormack Baron Salazar. Conformance to lender requirements will be mandatory. The form of contract is an AIA A-102 Standard Form of Agreement between Owner

and Contractor, Cost of the Work Plus a Fee, with a Guaranteed Maximum Price with 100% savings going to the benefit of the Project.

- E. Completion: Note that the A-201 General Conditions give very specific definitions of Substantial and Final Completion.
1. Notwithstanding other requirements of the contract documents, Project Substantial Completion will mean the completion of all punch list items, completed building and parking pads, soil grading completion on each block, repair of SWPPP and repair of any damages to fencing or access gates, plus the provision of a topographic and an interim as-built survey for each street segment so that substantially completed street areas can be occupied by the Owner, COSA, SAHA, the public and emergency vehicles on an entire street basis shortly thereafter. Owner will accept the Substantial Completion of the project in stages as small as one street segment at a time, provided all contract requirements are met for each street segment from intersection to intersection.
 2. Final completion requires the Public Improvements Contractor to include a final as-built boundary, topographic and spot grade survey to ALTA/ACSM standards for the street segments from intersection to intersection on each street. In addition to the as-built survey, Contractor will also be required to provide a reproducible as-built set of contract documents. The as-built contract documents shall include the location of all changes, revisions, and modifications to the drawings and specifications during the execution of the Work. Notice of Termination by the PI Contractor of the SWPPP; indication of any existing and new easements required by Authorities having justification over the project, will be provided at the Public Improvements Contractor's expense. The above expenses may be included as a part of the work under the General Conditions cost. Note that these conditions are required to achieve Final Completion, which must occur within 60 days of Substantial Completion.
- F. Section 3/Minority/Women Business and Labor Participation: Prior to the start of construction, the Public Improvements Contractor must commit to ensuring that the given percentages of the total dollar value of the construction contract are to be subcontracted to qualified Section 3, minority and women owned business enterprises. Additionally, the Contractor shall provide a similar commitment to utilize Section 3, minority and women labor among the different trades. A more detailed description of the Section 3/Minority/Women Business & Labor Participation guidelines, requirements and requested documentation is outlined below.
- G. Subcontracts and Self-Performed Work: Contractor should obtain multiple competitive subcontract bids/proposals for each area of subcontract work, including any self-performed work, and each proposal must be submitted by the proposal deadline with sub-contractor details. Contractor shall submit all proposals to Owner for review and approval by Owner, SAHA and HUD.

SECTION 3/MINORITY/WOMEN PARTICIPATION

Commitment

McCormack Baron Salazar Development, Inc. is committed to Section 3, minority, and women (S/M/W) business and employment participation on the Wheatley Courts CNI and has agreed to the following goals:

BUSINESS GOALS

- 35% MINORITY OWNED BUSINESS
- 5% WOMEN OWNED BUSINESS

WORKFORCE GOALS

- 35% MINORITY EMPLOYEES
- 5% WOMEN EMPLOYEES

SECTION 3 GOALS

- 10% NEW BUSINESS
- 30% NEW HIRES

As an important factor in consideration of responses to the RFP, the Contractor will be required in its proposal to show the extent and effort made to advance this philosophy and commitment to meeting the goals outlined above. The information required in the proposal is outlined in Exhibit C of the specifications, the Wheatley Courts CNI Phase II and III Public Improvements, Section 3/Minority/Women Business & Labor Participation Plan. The City of San Antonio and the SAHA will be advising McCormack Baron Salazar with respect to responses to the Section 3/Minority/Women Business & Labor Participation Plan as part of the RFP review process.

Public Improvements Contractors are required to identify and utilize Section 3, minority and women businesses (S/M/WBE's) and labor in all areas or segments of the project to the greatest extent possible. The involvement of S/M/WBE's should be minimally comparable to SAHA's and City's approved policy of S/M/WBE participation and can be achieved through the combination of:

1. Related construction phase activities – S/M/WBE professional or consulting services such as engineering, accounting, legal and service firms such as office services, security, maintenance, suppliers/vendors, and banking.
2. Construction phase activities – S/M/WBE prime contractors, subcontractors, and suppliers. Note that MBE and WBE suppliers will be given participation credit equal to 60% of the value of supplies to be purchased and MBE and WBE brokers will be given participation credit equal to 10% of the value of the transaction brokered.

Included in the Section 3/MWBE Business and Employment Plan is a list of services that are used in many construction projects, and which may be explored for S/MWBE business and employment participation on the project.

Contractors' Efforts

Positive efforts are to be made by the Contractor to utilize Section 3, minority, and women businesses and labor. Contractors are to follow affirmative actions as listed below:

1. Include qualified Section 3, minority and women businesses (S/MWBE) on solicitation lists;
2. Assure that labor training, apprentice and surplus area firms (if applicable) are solicited for Section 3, minority and women employment opportunities;
3. Divide total project requirements into smaller tasks or quantities to permit maximum participation by Section 3, minority and women businesses and labor;
4. Where the requirement permits, establish delivery schedules which will encourage participation by Section 3, minority and women businesses and labor;
5. Use the services and assistance of the SAHA, City of San Antonio, Youth-Build (J.D. Kyle – jkyle@gervin-school.org or Chuck Landy - clandy@gervin-school.org) , Black Contractors Association (Edward H. Hardemon – ehardemon@sbcglobal.net), Hispanic Contractors Association (Dave Sanchez – dave@hcadesa.org) and other organizations to help in achieving the business and employment participation goals; and
6. Require subcontractors to take the affirmative steps specified in 1through 5, above.

McCormack Baron Salazar encourages the Public Improvements Contractor to use the following additional avenues of inclusion of Section 3, minority and women participation:

1. Assist Section 3, minority and women sub-contractors to secure working capital, financing, lines of credit, or bonding.
2. Actively form or assist in the formation of partnerships and joint ventures between majority and Section 3, minority and women contractors and business firms.
3. Utilize Section 3, or minority or women financial institutions for short-term and long-term contracting financing or for deposits.
4. Assist, sponsor, and participate in training of Section 3, minority and women employees and new apprentices.
5. Contractor should consider assigning one full time employee to coordinate the business and employment participation efforts.

Section 3/MWBE Participation Plan

As part of its response to the RFP, the Contractor shall submit a complete Business and Employment Participation Plan (see Exhibit C of the specifications) including:

- A. Describe your past experience implementing employment and business participation strategies on other projects (both where goals were required and projects where no goals were required). Provide experience of inclusion and diversity through other forms of community outreach.
- B. Describe your specific plans for this project to meet the *business* participation goals. Outline specific strategies to be used in recruitment and retention of S/MWBE businesses. Include all supportive efforts to be utilized to make your plan successful, such as working with Youth-Build to identify contracting opportunities, outreach to S/MWBE, etc.
- C. List all proposed S/MWBE and contract amounts for each for construction and non-construction activities within overall project construction budget.
- D. Include a list of all S/MWBE's and attach the appropriate certifications to your Plan.
- E. List Contractor/Subcontractor areas where Section 3 new hires and new apprenticeships are to occur, the proposed number, and your strategy for filling those positions.
- F. Describe Contractor's specific plans for this project to meet the *employment and labor workforce* participation goals including new apprenticeship goals. Outline specific strategies to be used in recruitment and retention of Section 3/Minority/Women new hires and new apprentices for these positions. Include all supportive efforts to be utilized to make your plan successful such as working with SAHA, City of San Antonio, Youth-Build (J.D. Kyle – jkyle@gervin-school.org or Chuck Landy - clandy@gervin-school.org) , Black Contractors Association (Edward H. Hardemon – ehardemon@sbcglobal.net), Hispanic Contractors Association (Dave Sanchez – dave@hcadesa.org) and other recognized associations to successfully recruit and retain new employees.

Section 3/MWBE Participation Plan Review Process

As part of the RFP review process, the Section 3 and MWBE Participation Plan, (including all information required in Appendix C as outlined above), will be reviewed by McCormack Baron Salazar, which will be advised by SAHA to assess the feasibility of the Contractor's ability to meet the goals established for this project. If your plan is not found to be feasible, McCormack Baron Salazar has the right, at its discretion, to work with the Contractor to make the plan feasible, or McCormack Baron Salazar may consider the next most competitive, responsive, and responsible proposal.

Please note that all S/M/WBE firms included in the Plan must either be verified or have a current certification from a government or public body. Certification for women and minority businesses can be from a variety of government entities such as SCTRCA, SAHA, and the City of San Antonio. If a company is already certified by one of these entities, a copy of that certification letter must be attached to the Plan. If a company or contractor has not previously been certified as an S/M/WBE, it must receive certification from one of the above entities.

Prior to the execution of Contractor agreements, the Contractor will be required to provide evidence of Contractor/Subcontractor compliance with all business and employment goals. The Contractor construction agreement will include binding language that reflects these goals. During construction, McCormack Baron Salazar will obtain, review and forward documentation from the Contractor to the SAHA and will assist and cooperate with the SAHA to monitor actual Section 3/Minority/Women Business and Employment participation performance of the Contractor.

SELECTION PROCESS

Contractor Selection

Each contractor will be qualified on the basis of its experience, capacity, cost, SMWBE Plan, and stability. McCormack Baron Salazar will select the "lowest cost and most responsible and responsive proposal", in its sole and absolute discretion, after analysis and comparison of the responses to the RFP and any additional information requested by McCormack Baron Salazar. McCormack Baron Salazar may request additional information in written form. The most responsible proposer is the respondent judged most capable of satisfying the needs of the RFP. The most responsive proposer is the respondent judged to have met the submission requirements of the RFP.

McCormack Baron Salazar will make its award selection of proposals received, according to the best interest of the new community, McCormack Baron Salazar, SAHA, and the City of San Antonio. Award selection means that McCormack Baron Salazar and the design team will work exclusively with the selected contractor to refine and complete the Contract Documents, if necessary, value engineer and finalize the price with the intention of entering into a construction contract with the selected Public Improvements Contractor. If McCormack Baron Salazar is not comfortable with the relationship or the price at that point, McCormack Baron Salazar may reconsider its selection of the PI Contractor or McCormack Baron Salazar may choose not to proceed with the Work.

Respondents are expected to examine the requirements, schedule, proposed scope and all instructions pertaining to the request for proposal. Failure to do so will be at the respondent's risk and cost. In case of mathematical errors in the extension of costs, the total price will govern.

When two or more low and responsive, responsible proposals are equal in all respects, the selection will be decided by the tied respondents submitting a subsequent tiebreaker proposal pursuant to McCormack Baron Salazar instructions. If one of the two respondents refuses to submit a tie-breaking proposal, the award will be made to the other respondent. Under no circumstances will a tie-breaking proposal that is higher than the original proposal, be awarded.

McCormack Baron Salazar reserves the right to reject any or all proposals, to waive informalities or irregularities in any proposal, to advertise for new proposals, or to proceed to do this work by

other means, as determined to be in the best interest of the McCormack Baron Salazar, SAHA, and the City of San Antonio. Any responding Contractor participates at its own risk and cost on submitting a response and proposal.

McCormack Baron Salazar encourages the Contractor to improve upon the description of work included herein as well as other considerations in the RFP.

Evaluation

All proposals received as a result of this advertisement will be evaluated and ranked by McCormack Baron Salazar. The minimum threshold requirements, evaluation criteria and point values are listed in the section entitled "Submission Requirements" of this RFP.

Contractors interested in submitting a response to this RFP, must meet the following minimum threshold requirements to be considered for selection.

1. Must have no history of debarment with HUD, City of San Antonio or SAHA and submit HUD 2530 Previous Participation.
2. Must have Public Improvements construction experience of not less than \$2,500,000 in the past three years and have successfully completed one separate \$3,000,000 project within the past 5 years.
3. Must have evidence of Assurance Guarantee (100% payment and performance bonding capacity or 25% Unconditional Letter of Credit).
4. Must submit AIA Document A305 Contractor Qualifications.
5. Must have insurance coverage as indicated in Insurance Requirements Summary, Attachment D.

In the case of any type of joint venture partnership, all contractors must meet item 1 and 4, one of the partners must meet item 2, and the joint venture partnership must jointly meet item 3 and 5 above. The Joint Venture Questionnaire in the specifications in Division 00, Exhibit B shall be filled out and submitted if a joint venture partnership is responding.

Orientation

The final selected Public Improvements Contractor shall attend a briefing and orientation meeting after the award by McCormack Baron Salazar Development, Inc. The date of orientation will be scheduled just following the date of award of the successful Contractor.

This meeting will be held at the Contractor's office to allow the Contractor, the PI design team and McCormack Baron Salazar Development, Inc. to review project parameters and scope with the Public Improvements Contractor's RFP responses. All appropriate personnel of the Contractor shall be present for this meeting. This meeting will also focus on coordination with other entities, project parameters, procedures and involved parties.

Submission Requirements

Contractor firms interested in submitting a response to this RFP must meet the minimum threshold requirements outlined in the Evaluation section under Selection Process and submit the following information which will have percentage values for evaluation as shown below:

1.	Construction Cost per Proposal Breakdown Form (see specifications Division 00, Exhibit A)	50%
2.	Submission of Business and Employment Participation Plan (see specifications Division 00, Exhibit C)	15%
3.	Description of previous experience with similar projects, covering: A summary of previous Public Improvements projects within the past 5 years including environmental abatement of a similar scope. Identify your role as lead Contractor, joint venture Contractor, etc. or environmental Contractor, and indicate whether this experience was through a company other than that which is responding. Identify PM and Superintendent for each project.	10%
4.	Company Overview: a. description of firm b. background c. self-performed work d. legal composition e. years of tenure Team organization: a. all members identified b. relationships and responsibilities Key personnel: a. roles b. % proposed participation on project Subcontractor experience: a. Subcontractor relationship and related project experience	10%
5.	A proposed schedule of work phases and segments, and an indication of whether the proposed RFP schedule and sequence can be met or improved.	5%
6.	AIA document A305 Contractor Qualifications	2%
7.	HUD 2530 Previous Participation Certification	2%
8.	Evidence of Assurance Guarantee (Bonds or LOC)	3%
9.	Insurance certificates per Insurance Requirements Summary - Exhibit B	3%
10.	References (including multi-family developers)	0%
11.	Non-Collusive Affidavit	0%
	Total	100%

Responses to this RFP must be received by **July 8, 4:00 P.M., CST**, at **McCormack Baron Salazar, 454 Soledad Street, Suite 300, San Antonio, TX 78204**, and Attention: **Louis Bernardy**.

Four copies of the response are to be delivered in a sealed envelope clearly labeled **RESPONSE TO: "Wheatley Courts CNI Phase II and III, Public Improvements, Request For Contractor Proposals"**.

For additional copies of this RFP or questions regarding submission requirements and/or the scope of work contact either Mr. Tony Summers of KAI Texas at 314-241-8188 or Mr. David Dumey of McCormack Baron Salazar at 314-621-3400.

Attachments:

Attachment A – Wheatley Courts CNI - Existing Site Plan and Revised Master Site Plan