



# **Request for Qualifications for Construction Manager-at-Risk for Fueling Facility Project**

**Bid # FFP-80-0606**

**Meeting Date and Time: June 14, 2006 at 10:00 a.m.  
At the Purchasing Conference Room**

**Opening Date: June 21, 2006  
Bid Opening Time: 4:00 p.m.**

# Request of Qualifications



## For Construction Management-at-Risk for Fueling Facility Project

Brownsville Community Improvement Corporation

# INVITATION

*\* B/P/Q (Bid/Proposal/Qualifications)*

<u>Description</u>	<u>NUMBER</u>	<u>Pre-Submittal Conference</u>	<u>OPENING</u>
Request for Qualifications for Construction Manager-at Risk for Fueling Facility Project	*Q FFP-80-0606	June 14, 2006 at 10:00 a.m. at the Purchasing Conference Room	<u>June 21, 2006</u> 4:00 p.m.

Sealed, bids/proposals will be received by the City of Brownsville, at the Office of **Paul J. Calapa, Purchasing Director**, located at **City Hall, 1001 E. Elizabeth Street, 1<sup>st</sup> Floor, Suite 101, Brownsville, Texas 78520**, (956) 548-6087, e-mail: [purchasing@cob.us](mailto:purchasing@cob.us).

**Copies of the bid documents consisting of detailed specifications, general requirements or other information may be obtained at the Purchasing Department.**

Interested Bidders/Proposer are invited to attend the Bid/Proposal opening at the Office of the Purchasing/Contracting Department on the dates specified. Presence is not mandatory. Specifications may also be viewed and downloaded at: <http://purchasing.cob.us/openbids.asp>.

# Request of Qualifications



## For Construction Management-at-Risk for Fueling Facility Project

### Request for Statements of Professional Qualifications

Qualified firms interested in responding to this Request for Submittal of Professional Qualifications should include information requested in the following paragraphs. All information shall have been updated within the past three (3) months. Failure to provide the information requested or falsification of any information provided shall result in disqualification.

## Construction Manager-at Risk for Fueling Facility Project

### ACKNOWLEDGMENT OF RECEIPT

Please fill in the requested information below as acknowledgment that you have received the Request for Professional Qualifications noted above. If your firm is interested in participating, this sheet must be completed and returned or faxed to:

Mr. Paul J. Calapa  
Purchasing Director  
City of Brownsville  
P.O. Box 911 –  
1001 E. Elizabeth St., 1<sup>st</sup> Floor, Suite 101  
Brownsville, Texas 78520  
Phone: (956) 548-6087  
**Fax: (956) 546-2711**  
e-mail: [purchasing@cob.us](mailto:purchasing@cob.us)

Name of Firm: \_\_\_\_\_

Address: \_\_\_\_\_

City, State Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

e-mail: \_\_\_\_\_

YES, Our company does have an interest in responding.

NO, Our company does not have an interest in responding.

Name: (Print) \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### **NOTICE TO RESPONDENTS**

### **PLEASE RETURN THIS SECTION UPON RECEIPT**

# Request of Qualifications



## For Construction Management-at-Risk for Fueling Facility Project

### REQUEST FOR QUALIFICATIONS FOR CONSTRUCTION MANAGER-AT -RISK

#### Fueling Facility Project

RFQ No.: FFP-80-0606

### SECTION 1 - GENERAL INFORMATION & REQUIREMENTS

#### General Information:

The City of Brownsville invites your firm to submit a reply to the Request for Qualifications for a Construction Manager At-Risk (CM@R). Information regarding the submission schedule and who to contact with your questions is contained in the following material.

1. This Request for Qualifications (RFQ) is the first step in a three-step process for selecting a Construction Manager at Risk firm for the project as provided by Texas Government Code §271.118. The RFQ provides the information necessary to prepare and submit qualifications for consideration and initial ranking by the Owner. Based on the initial ranking, the owner may select up to five (5) of the top ranked qualified respondents to respond to a separate Request for Proposals in the second step of the process.
2. In the second step of the process, Request for Proposals (RFP), the top selected qualified respondents will be required to submit additional information to the owner, including fee proposals and anticipated construction schedule. The owner will rank the proposals in the order that they provide the "best value" for the owner based on the published selection criteria and on the ranking evaluations.
3. In the third step of the process, Interviews, the "most" qualified respondents may be requested to attend an interview with the owner to confirm their proposal and answer additional questions. The owner will then rank the remaining "most" qualified respondents in order to identify a "best value".

It is the intent of the City of Brownsville to secure a contract with a qualified CM@R firm for the project described below. The City of Brownsville is soliciting qualification from firms interested in providing these services.

#### I. Historical Background:

The City of Brownsville has developed a new Public Works Service Center 2003 located at 6035 Coffee Port Road. Currently, the service center does not have a fueling facility necessitating all vehicles driving to the present Brownsville Urban System transit service center located at 700 Jose Colunga Boulevard approximately four miles distant.

#### II. Mission Statement:

The City of Brownsville's mission statement is "To Earn And Maintain Public Trust By Providing Customers Efficient And Quality Municipal Services With Courtesy And Concern."

#### III. Project Description, Scope and Budget:

The Brownsville Fueling Facility at Public Works component part of on-going development of the Public Works Service Center. The facility will provide servicing for over 300 vehicles and rolling

# Request of Qualifications



## For Construction Management-at-Risk for Fueling Facility Project

stock on a daily basis. The City desires to construct a stand-alone dual-tank (gasoline/diesel) above-ground sheltered fueling facility at the City's Public Works Service Center located at 6035 Coffee Port Road. The proposed budget of \$345,000 to be utilized for, but not limited to, the following:

- Engineering, design, construction oversight, testing services and advertising of Fueling Facility Project
- Construction Manager at Risk involvement during design and construction phases
- Two (2) 12,000gal above ground tanks for gasoline and diesel placed end to end
- Four (4) to six (6) fueling dispensers
- Installation of a concrete pad for fuel tank support, estimated installed weight with full tanks, +480,000#
- With installation of concrete pad, includes a monolithic vertical wall as part of the slab structure that will be a pre-determined height between 17" and 24" forming an enclosure of the tanks from the at the edge of the slab which will also serve as protection from vehicle or equipment strikes against the fueling system
- Roof structure with lighting
- Tank filling stairwell
- Water and air conduits with outlets (2)
- Technological requirements of fueling dispensers; remote data access, PC based fueling software monitoring equipment for off-site monitoring, data manipulation, equipment diagnostic activities; trouble-shooting, data storage, programmable vehicle fueling keys or cards with technology chips for specific use requirements; odometer input, fleet and/or unit numbers, etc.
- Trenching for data cabling, electrical power, air and water conduits from fueling facility to adjacent building for utility and PC hookup.
- Leveling to grade, clearing of area providing surface runoff to adjacent street and storm drains
- Proper and required signage
- Proper and appropriate emergency utility cutoff/shutdown switches located on or about the fueling facility
- Installation of security camera complete with camera monitors to be linked to a central station.

#### IV. Project Goals and Objectives:

The City desires competence in construction of this project with high performance in systems and technology. The CM@R team is expected to assist the City and consulting engineers in developing a project scope within this budget and design suggestions and construction strategies to achieve these goals within the budget.

#### V. Scope of Work:

The construction contract will encompass all project-related construction services to the City, including but not limited to the following:

##### DESIGN/SPECIFICATIONS/CONSTRUCTION DRAWING PHASES

- Cost Estimating
- Value-engineering design suggestions

# Request of Qualifications



## For Construction Management-at-Risk for Fueling Facility Project

### GMP PRICING PHASE

- Receive Sub-Bids
- Propose Guaranteed Maximum Price
- Revise scope or re-price trades as may be requested

### CONSTRUCTION PHASE

- Provide Materials, Labor and Project Supervision and Management as may be necessary and required to achieve the schedule, budget and project goals and objectives.
- Construction Substantial Completion
- Punch List Completion
- Final Completion and Certificate of Occupancy

### VI. Statement of Qualifications:

The City is seeking to contract with a competent CM@R Firm that has had experience in the following areas:

- CM@R experience with public entity clients
- Construction experience with related projects in the Rio Grande Valley
- Experience and success of key team members working together
- Capability to perform CM@R services on a reasonable time schedule
- Capability to provide both workmanship and construction management excellence and best-value-solutions within budget.
- Subcontract and self-performed-work pricing procedures transparent to the City of Brownsville and its representatives and structured to provide best value to the City.

As such, please provide within your proposal a list of past relevant projects and clients, as well as the resumes of all personnel who will or may be assigned to this project. Also include a copy of your current certificate of insurance.

### VII. Evaluation Criteria:

The statement of qualifications received will be evaluated and ranked according to the following criteria.

<u>Criteria</u>	<u>Maximum Points</u>
Experience and Reputation – Quality and Workmanship	20
Experience and Reputation – CM@R Services	20
Capacity to Perform – GMP/Best Value Pricing	20
Capacity to Perform – On time Completion	20
<u>General Conditions and Contingencies</u>	<u>20</u>
Total	100

Experience and Reputation – Quality and Workmanship: Demonstrated excellence in construction quality and the ability to achieve good workmanship.

# Request of Qualifications



## For Construction Management-at-Risk for Fueling Facility Project

Experience and Reputation – CM@R Construction: Demonstrated CM@R construction competence. Professional qualifications and reputation of principals and consultants.

Capacity to Perform – GMP/Best Value Pricing: Demonstrated ability to provide accurate GMP pricing from preliminary documents. Demonstrated ability to manage open and transparent competitive subcontract final bidding to the Best-Value benefit of the project and the client.

Capacity to Perform – On Time Completion: Capability and past performances in meeting aggressive construction schedules without compromise of construction quality.

### VIII. Requirements for Submission:

A. Respondents to this Request for Qualifications are required to disclose any conflict of interest or potential conflict of interest, with any City of Brownsville staff, contractor, subcontractor, vendor or supplier affected by this contract for services, either currently, within the past two (2) years, or as may occur at any future time. Any such conflict or potential conflict of interest shall be disclosed within the respondent's submission of qualifications, or within ten (10) days of discovering the conflict. City of Brownsville representatives not affected by the conflict or potential conflict shall determine the severity of the conflict, if any, and recommend the appropriate remedial action to resolve the conflict without adversely affecting the interest of the City and/or the project schedule(s). Such remedial action could include cancellation of any resulting contract for the conflicting party.

B. Respondents are also required by law to make full disclosure regarding any owners or staff members who have been employed by the City within two years prior to the firm's submission of its qualifications. This disclosure must include:

- a. the nature of the previous employment with the agency
- b. the date the employment was terminated; and
- c. the annual rate of compensation for the employment at the time of termination.

This disclosure requirement should not be construed as discouraging the use of the employment of former City employees for professional services, as this may be a positive factor in evaluating the firm's qualifications; this disclosure is required to comply with state law.

C. As part of the evaluation criteria for the selection of the CM@R Firm to provide professional services for the project, the City of Brownsville shall rely upon information provided by the respondent pertaining to staffing and qualification of the respondent. If the staffing and qualifications change significantly from those indicated in the qualification package, the CM@R Firm shall disclose such changes to the City within ten (10) day of discovery. The City shall determine whether the change will adversely affect the interest of the City and/or the project schedule, and may require appropriate remedial action to resolve any changes determined to have an adverse effect. Such remedial action could include termination of any resulting contract for professional services.



# Request of Qualifications



## For Construction Management-at-Risk for Fueling Facility Project

### IX. Organization to Respond:

Responses to the RFQ should be submitted in the following format, and bound in a single volume with sections clearly identified and tabbed as described below. Responses should be simple and direct. Expansive or extensively customized responses are not necessary. Standard firm promotional material is acceptable if appropriate to the criteria.

SECTION 1: Letter of Transmittal: Provide a cover letter which states the purpose of the submittal, referencing this RFQ, and provides the following information as it relates to your firm. Maximum/minimum size of the project you will accept and geographical limitations you would like the City of Brownsville to recognize.

SECTION 2: Qualification Evaluation Information: This section should directly address items A through D as listed below. Use the corresponding letters and titles to allow ease of reference during the grading process. Respond to the following as identified below.

- A. Experience and Reputation – Quality and Workmanship
- B. Experience and Reputation – CM@R Construction
- C. Capacity to Perform – GMP/Best Value Pricing
- D. Capacity to Perform – On Time Completion

SECTION 3: Completed Projects: Submit a list of completed projects with documentation for each. The use of printed marketing brochures in this section of the submittal is discouraged.

SECTION 4: Disclosure Statements: Provide a statement outlining any conflict(s) of interest or potential conflicts of interest (see item A under “Requirements for Submission of Qualifications” in this document). If none exist provide a statement to that effect. Also, provide a statement detailing any use of former employees of the City of Brownsville as staff and/or consultants (see item B under “Requirements for Submission of Qualifications” in this document). If none exist, provide a statement to that effect.

### NOTICE OF REQUIRED TEXAS WORKER’S COMPENSATION INSURANCE COVERAGE:

The Texas Workers' Compensation Commission has adopted a new rule, 28 TAC, sec. 110.110, relating to REPORTING REQUIREMENTS FOR BUILDING OR CONSTRUCTION PROJECTS FOR GOVERNMENTAL ENTITIES. The rule applies to all building or construction contracts advertised for bid on or after September 1, 1994. The rule implements sec. 406.096, Texas Labor Code, which requires workers' compensation insurance coverage for all persons providing services on a building or construction project for a governmental entity. The requirements of the rule are set forth in Article 6 of the Uniform General Conditions.

### PREVAILING WAGE RATE DETERMINATION:

The CITY adheres to "Prevailing Wage Guidelines". Respondents are advised that the Texas Prevailing Wage Law will be administered in accordance with the policies and procedures set forth in the City of Brownsville document, entitled "Prevailing Wage



# Request of Qualifications



## For Construction Management-at-Risk for Fueling Facility Project

Guidelines." A copy is attached to the Special Conditions. The penalty for violation of prevailing wage rates has been increased from \$10.00 per underpaid worker per day or portion thereof to \$60.00.

- X. Directions for Responses: Responses to the Request for Qualifications must be received by the City of Brownsville, Purchasing/Contracting Department at the address below not later than 4:00 P.M. on 05/15/2006. Any response received after that time will not be considered. You are requested to submit eight (8) bound sets of your qualification package, each containing one (1) copy of items 1 through 4 (as specified in the section entitled "Organization of Response" contained previously in this document). **One (1) original (marked original), seven (7) copies, and one (1) electronic version (Acrobat PDF format only)** of your bid package will be accepted at same address stated above by no later than 4:00 P.M. Wednesday, June 21, 2006. Bids/Proposals/SOQs received after the time and date specified will not be considered.

Each submittal shall be clearly labeled with the name of your firm and mailed or delivered to:

The City of Brownsville  
Purchasing/Contracting Department  
Mr. Paul J. Calapa, Director  
Suite 101, 1001 East Elizabeth Street or P.O. Box 911  
Brownsville, Texas 78520

- XI. Selection Process:  
Shortly after receipt of the written statements of qualifications, a committee will evaluate and rank them according to scores, and recommend a selection to the City Commission of the City of Brownsville.

Upon selection, contract negotiations will commence with the selected firm on a schedule determined by the City. If an agreement cannot be reached with the first selected firm, the negotiations will pass to succeeding firms in order of ranking, until an agreement is obtained.

- XII. Notification of Rights Reserved:
- A. Statements submitted and participation in the procedures described herein shall be at no cost or obligation to the City of Brownsville. The City reserves the right to select one or more firms or to reject any or all statements received. Statements and any other materials received will not be returned, and the City has no obligation to any firm should it develop or use any idea suggested in the course of, or developed in connection with its effort to contract for services herein.
- B. Any and all products and results of services rendered under resulting contract shall be considered to be a work made for hire, which shall belong to and shall be the sole and exclusive property of the City of Brownsville. If for any reason the products and results of services rendered by the CM@R Firm would not be considered a work-for-hire under applicable law, the CM@R Firm may have or at anytime acquire in and to the products and results of services and all portions thereof, without royalty or any other considerations.

## Request of Qualifications



### For Construction Management-at-Risk for Fueling Facility Project

- C. Any questions concerning this project or the preparation of Qualification Statements should be addressed to

City of Brownsville  
Purchasing/Contracting Department  
Mr. Paul J. Calapa, Director  
Suite 101, 1001 East Elizabeth Street or P.O. Box 911  
Brownsville, Texas 78520  
956-548-6087

XIII. CM@R Contract:

- A. Any contract resulting from this solicitation will be in the form of the owner's standard construction management at risk agreement. The best value respondent will be required to enter into a contract with the owner after award by the Brownsville City Commission. The City intends to utilize AIA contract documentation.

# Request of Qualifications



## For Construction Management-at-Risk for Fueling Facility Project

### XIV. Execution of Offer:

The Respondent must complete, sign and return this Execution of Offer as part of their submittal response. The Respondent's company official(s) who are authorized to commit to such a submittal must sign submittals. Failure to sign and return this form will subject the submittal to disqualification.

Respondent's Name: \_\_\_\_\_

Respondent's State of Texas Tax Account No.: \_\_\_\_\_  
*(This 11 digit number is mandatory)*

If a Corporation:

Respondent's State of Incorporation: \_\_\_\_\_

Respondent's Charter No: \_\_\_\_\_

Identify each person who owns at least 25% of the Respondent's business entity by name:

\_\_\_\_\_  
*(Name)*

\_\_\_\_\_  
*(Name)*

\_\_\_\_\_  
*(Name)*

\_\_\_\_\_  
*(Name)*

Submitted and Certified By:

\_\_\_\_\_  
*(Respondent's Name)*

\_\_\_\_\_  
*(Title)*

\_\_\_\_\_  
*(Street Address)*

\_\_\_\_\_  
*(Telephone Number)*

\_\_\_\_\_  
*(City, State, Zip Code)*

\_\_\_\_\_  
*(Fax Number)*

\_\_\_\_\_  
*(Authorized Signature)*

\_\_\_\_\_  
*(Date)*

# Request of Qualifications



## For Construction Management-at-Risk for Fueling Facility Project

### GENERAL INFORMATION REQUIRED FROM ALL RESPONDERS

The undersigned agrees, if this RFQ is accepted, to furnish any and all items/materials/services upon which prices are offered, at the price(s) and upon the terms and conditions contained in the Specifications/Scope of Services. The period for acceptance of this RFQ will be thirty (60) calendar days unless a different period is noted by the responder.

The undersigned affirms that they have read and do understand the specifications and any attachments contained in this bid package.

Date: \_\_\_\_\_

COMPANY NAME: \_\_\_\_\_

AUTHORIZED REPRESENTATIVE: \_\_\_\_\_

TITLE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP: \_\_\_\_\_

TELEPHONE NO: \_\_\_\_\_ FAX NO. \_\_\_\_\_

# Request of Qualifications



## For Construction Management-at-Risk for Fueling Facility Project

### CONSTRUCTION CRITERIA

#### CITY OF BROWNSVILLE FUELING FACILITY

- I. Site Location – The project will be located within the Public Works Service Center facility located at 6035 Coffee Port Road.
- II. Current Conditions – The City of Brownsville will provide the CM@R Firm a survey of the site, as well as all available architectural and engineering documents related to relevant context and utility infrastructure.
- III. Construction Management Performance \_ Provide construction services as may be necessary to the success of the project, including but not limited to:
  - a. Manage all communication with the City and with Subcontractors so as to insure efficient and orderly progress of the work.
  - b. Maintain on-site supervision at all times.
  - c. Maintain a construction schedule and communicate all critical dates to all affected parties.
  - d. Maintain the jobsite in a safe condition at all times.
  - e. Communicate expectations as to workmanship and quality to all workers and subcontractors. Immediately reject any work that does not comply with expected standards of quality or workmanship so that remedy can be achieved without project delay.
  - f. Provide all new materials.
- IV. Warranties – The CM@R Firm will warrant and guarantee that all work shall be executed in a good and workmanlike manner, complete in all parts and in accordance with approved practice and customs for a period of one year. In addition to this over-all warranty, the CM@R Firm will secure for the City extended warranties for specific trades as may be requested by the City.
- V. Applicable Codes and Ordinances – The CM@R Firm will adhere to and comply with all applicable codes, ordinances, statutes, and other laws including but not limited to acquisition of applicable construction and building permits, etc., as per City of Brownsville code of ordinances. For this particular project, a complete set of drawings, plans and specifications must be submitted to Building Inspections and Permitting Department as well as the office of the City Engineer.

**Request of Qualifications**



**For Construction Management-at-Risk for  
Fueling Facility Project**

**MISCELLANEOUS**

**Point of Contact.**

For information regarding bidding procedures contact Mr. Paul J. Calapa, Purchasing Director, (956) 548-6087.

**Forms.** Enclosed you will find a Disclosure of Interests Form and a Statement of Non-Collusion. Fill-in both forms and return with your SOQ.

**GENERAL INFORMATION REQUIRED FROM ALL RESPONDERS -**  
Please complete the attached form and submit with your SOQ.

**DISCLOSURE OF INTEREST FORM** - Please complete the attached Disclosure of Interest form and submit with your SOQ package.

**STATEMENT OF NON-COLLUSION FORM** - Enclosed is a Statement of Non-Collusion, which must be completed by the vendor and submitted with the SOQ.

**ADDENDA**

The following Addenda have been received. The modifications to the Contract Documents noted therein have been considered.

Addendum No. .... Dated.....

Addendum No. .... Dated.....

Addendum No. .... Dated.....

# Request of Qualifications



## For Construction Management-at-Risk for Fueling Facility Project

### DISCLOSURE OF INTERESTS

City of Brownsville, Texas requires all persons or firms seeking to do business with the City to provide the following information. Every question must be answered. If the question is not applicable, answer with "NA." Corporations whose shares are publicly traded and listed on national or regional stock exchanges or over-the-counter markets may file a current Securities and Exchange Commission Form 10-K with the City in lieu of answering the questions below. See reverse side for definitions.

Date \_\_\_\_\_

FIRM NAME: \_\_\_\_\_

STREET: \_\_\_\_\_

FIRM is: 1. Corporation ( )      2. Partnership ( ) 3. Sole Owner ( )  
4. Association ( ) 5. Other ( ) \_\_\_\_\_

### DISCLOSURE QUESTIONS

If additional space is necessary, please use the reverse side of this page or attach separate sheet.

1. State the names of each "employee" of the City of Brownsville having an "ownership interest constituting 10% or more of the voting stock or shares of the business entity or ownership of \$2,500 or more of the fair market value of the business entity or employed by the above named "firm."

Name	Title	Department



## Request of Qualifications



### For Construction Management-at-Risk for Fueling Facility Project

2. State the name of each “official” of the City of Brownsville having an “ownership interest” constituting 10% or more of the ownership in the above named “firm”, or employed by the above named “firm.”

Name	Title	Department

3. State the names of each “board member” of the City of Brownsville having an “ownership interest” constituting 10% or more of the ownership in the above named “firm”, or employed by the above named “firm.”

Name	Board, Commission, or Committee

### CERTIFICATE

I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Brownsville, Texas as changes occur.

Certifying Person: \_\_\_\_\_ Title: \_\_\_\_\_  
(Type or Print)

Signature of Certifying Person: \_\_\_\_\_ Date: \_\_\_\_\_

## Request of Qualifications



### For Construction Management-at-Risk for Fueling Facility Project

#### DEFINITIONS

The following definitions of terms should be used in answering the questions set forth below:

- a. **“Board member.”** A member of any board, commission, or committee appointed by the City Commission of the City of Brownsville, Texas.
- b. **“Employee.”** Any person employed by the City of Brownsville, Texas either on a full or part-time basis, but not as an independent contractor.
- c. **“Firm.”** Any entity operated for economic gain, whether professional, industrial or commercial, and whether established to produce or deal with a product or service, including but not limited to, entities operated in the form of sole proprietorship, as self-employed person, partnership, corporation, joint stock company, joint venture, receivership or trust, and entities which for purposes of taxation are treated as non-profit organizations.
- d. **“Official.”** The Mayor, members of the City Commission, City Manager, Assistant City Managers, Department and Division Heads, and Municipal Court Judge of the City of Brownsville, Texas.
- e. **“Ownership interest.”** Legal or equitable interest, whether actually or constructively held, in a firm, including when such interest is held through an agent, trust, estate or holding entity. “Constructively held” refers to holdings or control established through voting trusts, proxies, or special terms of venture of partnership agreements.”

PLEASE FILL IN THE INFORMATION REQUIRED AND SUBMIT TO:

THE CITY OF BROWNSVILLE  
PURCHASING DEPARTMENT  
P. O. BOX 911  
BROWNSVILLE, TEXAS 78520

## Request of Qualifications



### For Construction Management-at-Risk for Fueling Facility Project

#### CITY OF BROWNSVILLE NON-COLLUSIVE BIDDING CERTIFICATION

I/We have read instructions to bidder and specifications. My/Our bid conforms with all bid specifications, conditions, and instructions as outlined by *CITY OF BROWNSVILLE*. Signing the Acknowledgment Form confirms that our company will enter into a binding contract with CITY OF BROWNSVILLE for item(s) awarded to our company. I/We have read instructions to bidder and specifications.

The undersigned Bidder, by signing and executing this bid, certifies and represents to the CITY OF BROWNSVILLE that Bidder has not been offered, conferred or agreed to confer any pecuniary benefit, as defined by §1.07(a)(6) of the Texas Penal Code, or any other thing of value as consideration for the receipt of information or any special treatment or advantage relating to this bid; the Bidder also certifies and represents that Bidder has not offered, conferred or agreed to confer any pecuniary benefit or other things of value as consideration for the recipient's decision, opinion, recommendation, vote or other exercise of discretion concerning this bid; the Bidder certifies and represents that Bidder has neither coerced nor attempted to influence the exercise of discretion by any officer, trustee, agent or employee of the CITY OF BROWNSVILLE concerning this bid on the basis of any consideration not authorized by law; the Bidder also certifies and represents that Bidder has not received any information not available to other bidders so as to give the undersigned a preferential advantage with respect to this bid; the Bidder further certifies and represents that Bidder has not violated any state, federal or local law, regulation or ordinance relating to bribery, improper influence, collusion or the like and that Bidder will not in the future offer, confer, or agree to confer any pecuniary benefit or other thing of value to any officer, trustee, agent or member of the CITY OF BROWNSVILLE in return for the person having exercised the person's official discretion, power or duty with respect to this bid; the Bidder certifies and represents that it has not now and will not in the future offer, confer, or agree to confer a pecuniary benefit or other thing of value to any officer, trustee, agent or member of CITY OF BROWNSVILLE in connection with information regarding this bid, the submission of this bid, the award of this bid or the performance, delivery or sale pursuant to this bid.

Date: \_\_\_\_\_

Company Name: \_\_\_\_\_

Signature : \_\_\_\_\_ Title: \_\_\_\_\_

**Note: This form must be filled in and submitted with the response.**