

**REQUEST FOR PROPOSAL (RFP)
FOR CONTRACTOR RETROFITTING/REHABILITATION SERVICES**

Purpose of the Request – The Southeast Texas Regional Planning Commission (SETRPC) developed this Request for Proposals (RFP) to select a pool of qualified Residential Construction Contractors to support housing retrofitting and /or rehabilitation of owner-occupied, single family housing units in the cities of Port Arthur and Beaumont, Texas. The SETRPC seeks to establish a list of pre-qualified residential contractors based on the criteria established in this RFP. Once the list of pre-qualified contractors has been established, the SETRPC will assign projects to contractors based on experience, capacity, and performance.

- I. **Program Background** - The Lighthouse program is intended to retro-fit the homes of low-income elderly and/or disabled citizens to make them more energy efficient and to further develop the community. The program's motto is "Improving Your Community through Energy Efficiency." The project is specifically for homes within the City of Port Arthur and the City of Beaumont. Each home selected for the project will be extensively analyzed for ways to improve its energy efficiency. Possible repairs include attic insulation, window and door replacement and air conditioning/heating unit replacement.

- II. **Scope of Work** – Assignments will be made to contractors in the pool based on experience, capacity, and performance. While the scope of work for each individual structure will vary to some degree, the general scope and requirements described below remain constant. Contractor requirements include, but are not limited to, the following:
 - a. Receive and Review assignment packages including individual project scopes of work, plans and specifications, and any other documentation delivered by the SETRPC related to each project.
 - b. Attend pre-construction conferences and execute contracts.
 - c. Coordinate in a professional manner with individual applicants/homeowners upon Notice to Proceed.
 - d. Provide labor, equipment, and materials adequate to perform the work in accordance with the Scope of Work and ensuring all building codes are met.
 - e. Meet the 90-day schedule requirement for the start and completion of the job as set forth in the contract.

- III. **Contractor Qualifications** – This RFP and its attachments describe the requirements under which the SETRPC will approve contractors for the pre-qualified contractor list. As noted in Section IV of this RFP, the submittal must describe the contractor's qualifications, prior rehabilitation experience, prior experience with SETRPC projects, financial capacity, and references for projects of a similar nature.

Minimum Qualification Requirements include:

- a. Contractor's experience in retrofitting and rehabilitation projects.
- b. Contractor's financial capacity and resources available to perform the work,
- c. Performance Bonding Capacity issued for the limits of each project amount.
- d. Maintain General Liability Insurance with a \$1,000,000.00 limit.
- e. 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:

<http://www.sam.gov>

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

<https://comptroller.texas.gov/purchasing/programs/vendor-performance-tracking/debarred-vendors.php>

Other Requirements:

- a. All contractors must secure and provide proof of performance bonds within ten (10) business days of assignment. Failure to do so may result in termination of award.
- b. Whenever possible, SETRPC will give opportunities to Historically Underutilized Businesses (HUBs) and will make an affirmative effort to encourage proposals from such contractors.
- c. Whenever possible, opportunities shall be provided to locally owned businesses and low-income residents in the project area.

IV. **Submission Requirements** – Contractors submitting a response to this RFP 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 RFP must consist of an original and four (4) copies (5 total). All five sets of proposals should be sealed in a box or envelope with the title of the RFP (RFP for Contractor Retrofitting/Rehabilitation Services) and the name of the submitting firm should be labeled on the outside of the box or envelope. Each proposal should have 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.

SETRPC Lighthouse Program

- c. **Statement of Qualifications.** Provide a summary of your firm's qualifications as they relate to this RFP. Ensure a contact name, phone number, fax number, address, and email address for the primary contact of the company.
- d. **Performance History.** Describe how many years you have worked and the approximate number of houses on which you have performed retrofitting or rehabilitation work, and specifically if you have provided work on this or any other SETRPC programs. Provide a list of projects completed in the last year and the amount of each project. Identify if any of those projects was with the SETRPC.
- e. **List of References.** Provide a list of three (3) references for whom you have provided residential construction activities. Each reference should include contact information for the reference, a description of the work performed, and a timeline for when the project was completed.
- f. **Bonding Capacity.** Provide a letter of capacity from your bonding agent stating your single job and aggregate limit for performance bonds. The Letter of Bonding capacity should be in the name of the submitting firm.
- g. **Proof of Insurance.** Provide a current specimen insurance certificate including the types and amount of insurance you currently maintain. General Liability Insurance in the amount of \$1,000,000.00 will be required for this program.
- h. **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 <http://www.sam.gov> in the exact name of your corporation or the name in which you are submitting your proposal. Also, provide proof of non-debarment from state programs by printing the state debarred vendor's list at: <https://comptroller.texas.gov/purchasing/programs/vendor-performance-tracking/debarred-vendors.php>
- i. **Affirmative Marketing Requirements.** SETRPC is an equal opportunity employer and encourages minority and women owned businesses to submit a bid for the services described in this RFP. All firms should state whether they are a minority owned business and provide proof of such certifications if applicable.
- j. **Financial Condition.** Provide a copy of the firm's most recently audited financial statements, including a Balance Sheet and Income Statement. Bank Statements plus, a banking reference may be provided for sole proprietorships, partnerships or smaller firms if audited financial statements are not available. All documents supporting financial condition should be in the name of the submitting firm or its owner.

- k. **Proposed Cost Estimate.** Provide a proposed cost estimate for the sample scope of work attached to this RFP as Appendix A.
- l. **Non-Collusion Affidavit.** The Non-Collusion Affidavit attached to this RFP as Appendix B must be completed, signed, notarized, and included in the proposal.
- m. **Bidder/Offeror Certification.** Appendix C must be completed, signed, and included in the proposal.

V. **Evaluation Criteria and Weights** - Proposals will be evaluated based on the scoring criteria stated below. Proposals must score 70% or above for the submitting firm to be approved as a contractor for this program.

a. **Organization of Proposal (0-5 Points)**

- i. The score for Organization of Proposal will be based on the provisions stated under the Submission Requirements Section of this RFP.
 - 1. 0 Points: If proposal fails to include any of the provisions required under the Submission Requirements Section of the RFP.
 - 2. 5 Points: If proposal meets all provisions stated in the Submission Requirements Section of the RFP.

b. **Qualifications and Experience (0-25 Points)**

- i. The score for this section will be based on the information provided in your proposal response under Statement of Qualifications and Performance History.
 - 1. 0 Points: If no residential retrofitting or rehabilitation projects have been completed by the submitting firm.
 - 2. 15 Points: If at least 10 residential retrofitting or rehabilitation projects have been completed by the submitting firm.
 - 3. 25 Points: If submitting firm has at least 10 residential retrofitting or rehabilitation projects completed and previous experience as a contractor for any SETRPC program. This contractor must have completed the program in good standing or remains in the program in good standing.

c. **List of References (0-10 Points)**

- i. The List of References Section will be scored based on the documentation provided in the List of References Section of each proposal.
 - 1. 0 Points: If no references are provided or references are provided yet cannot be reached by the contact information given.
 - 2. 10 Points: If references are provided and contact information is accurate and leads to successful contact with the reference.

d. **Bonding Capacity (0-10 Points)**

- i. Bonding Capacity will be scored based on the documentation provided in the Bonding Capacity section of each proposal.

SETRPC Lighthouse Program

1. 0 Points: If the submitting firm fails to provide the required proof of bonding capacity.
 2. 10 Points: If the submitting firm provides proof of bonding capacity of at least \$25,000 for a single job limit and at least \$70,000 for an aggregate job limit.
- e. **Proof of Insurance (0-10 Points)**
- i. Proof of Insurance will be scored based on the documentation provided under the Proof of Insurance section of each proposal.
 1. 0 Points: If no documentation related to proof of Insurance is provided.
 2. 10 Points: If all insurance specimens requested are provided in the proposal.
- f. **Minority Owned Business (0-10 Points)**
- i. Minority Owned Businesses will be determined based on the documentation provided under the Affirmative Marketing Requirements section of each proposal.
 1. 0 Points: If no proof of Minority Owned Business documentation is provided.
 2. 10 Points: If proof of Minority Owned Business documentation is provided.
- g. **Financial Condition (0-10 Points)**
- i. Financial Condition will be determined based on the documentation provided under the Financial Condition section of each proposal.
 1. 0 Points: If required documentation is not provided.
 2. 5 Points: If current assets or account balances are at least \$25,000, approximately the maximum amount of 1 project.
 3. 10 Points: If current assets or account balances are at least \$75,000, approximately the maximum amount for 3 projects.
- h. **Cost Estimate (0-10 Points)**
- i. The Cost Estimate will be scored based on the submitting firm's completion of the cost estimate provided in Appendix A of this RFP.
 1. 0 Points: If the proposed cost estimate total is 10% or more away from the statement of probable cost provided by a third party.
 2. 5 Points: If the proposed cost estimate total is less than 10% but 5% or more away from the statement of probable cost provided by a third party.
 3. 10 Points: If the proposed cost estimate total is less than 5% away from the statement of probable cost provided by a third party.
- i. **Port Arthur Business (0-10 Points)**
- i. Local Port Arthur Business will be determined based on the documentation provided.

SETRPC Lighthouse Program

1. 0 Points: If the business is not located within the city limits of Port Arthur, Tx.
2. 10 Points: If the business is located within the city limits of Port Arthur, Tx.

SETRPC is not required to use the lowest cost as the sole basis for establishing a list of pre-qualified contractors.

VI. SETRPC reserves the right to:

- a. Contract with the most qualified contractors based on the criteria stated herein and their responses to assignments.
- b. Reject proposals that fail to meet the stated criteria.
- c. Disqualify Contractor's submitting proposals based on performance history with SETRPC project or performance history gathered from references and previous clients.
- d. Disqualify Contractor's submitting proposals who have worked in previous SETRPC programs and failed to perform under the contract including its warranty provisions.
- e. Re-advertise this RFP if adequate interest is not received.
- f. Not assign a construction project to any contractor on the pre-qualified list merely because the person or firm meets the minimum qualifications be included on the pre-qualified contractor list.
- g. Remove Contractors from the pre-qualified list for reasons including but not limited to:
 - i. Contractor's failure to meet the requirements stated in this RFP.
 - ii. Contractor's failure to perform the work required in the Contractor's Contract.
 - iii. Contractor's inability to establish and maintain a consistent working relationship with applicants.
 - iv. Contractor's proven incapacity to perform the work described in this RFP or in the Contractor's Contract; or
 - v. Contractor's failure to secure the required bonding and insurance.

VII. SETRPC Contact and Schedule:

Complete sealed proposals must be submitted in person, by U.S. Mail or another parcel carrier. Responses must be received in the SETRPC's Offices on or before June 29, 2023, by 2:00 pm SETRPC strongly recommends all submitting firms to submit

SETRPC Lighthouse Program

proposals at least one hour early to ensure acceptance. As a reminder the SETRPC offices are closed every day from 12:00 p.m. to 1:00 p.m. Each proposal will need to be time and date stamped by a SETRPC representative before it is accepted.

NO LATE SUBMISSIONS WILL BE ACCEPTED. An official bid opening will take place at the SETRPC's Offices in the Homer E. Nagel Conference Room on **June 29, 2023 at 4:00 pm**, however only the name of the firm submitting the proposal will be read at that time.

Applications may be mailed or hand-delivered to:

South East Texas Regional Planning Commission
2210 Eastex Freeway
Beaumont, Texas 77703
Attn: Pamela Lewis

A review of the proposals will be conducted within 30 days of the due date and applicants will be notified within 60 days of the due date of a decision, if any.

All questions may be submitted via mail or email to Pamela Lewis at plewis@setrpc.org by **5:00 p.m on June 8, 2023**. All questions and responses will be made available to all applicants on the SETRPC website by **4:00 p.m. on June 12, 2023**.

- VIII. **Open Records.** Information submitted to SETRPC 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 state 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, SETRPC 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 552.101 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 who 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 RFP shall be the sole responsibility of and shall be borne by the contractor.

Appendix B

South East Texas Regional Planning Commission (SETRPC) Lighthouse Program

Non-Collusion Affidavit

By the signature below, the signatory for the bidder certifies that neither he nor the firm, corporation, partnership, or institution represented by the signatory or anyone acting for the firm bidding this project has violated the anti-trust laws of this State, codified at Section 15.01, et. seq., Texas Business and Commerce Code, or the Federal antitrust laws, nor communicated directly or indirectly the bid made to any competitor or any other person engaged in the same line of business, nor has the signatory or anyone acting for the firm, corporation, or individual submitting a bid committed any other act of collusion related to the development and submission of this bid proposal.

Signature: _____

Printed Name: _____

Title: _____

Company (if applicable) _____

Date: _____

SUBSCRIBED and sworn to me by the above named _____
on this the _____ day of _____, 2023.

Notary Public in and for the State of Texas

My commission expires: _____

BIDDER/OFFEROR CERTIFICATION

REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION FOR COVERED CONTRACTS AND GRANTS

In this certification "contractor/grantee" refers to both contractor/grantee and subcontractor/sub-grantee; "contract/grant" refers to both contract/grant and subcontract/sub-grant. Each covered contractor/grantee must also screen each of its covered subcontractor/providers.

By signing and submitting this certification, the potential contractor/grantee accepts the following terms:

The certification herein below is a material representation of fact upon which reliance was placed when this contract/grant was entered into. If it is later determined that the potential contractor/grantee knowingly rendered an erroneous certification, the federal government may pursue available remedies, including suspension and/or debarment.

The potential contractor/grantee shall provide immediate written notice to the person to whom this certification is submitted if at any time the potential contractor/grantee learns that the certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

The words "covered contract," "debarred," "suspended," "ineligible," "participant," "person," "principal," "proposal," and "voluntarily excluded" as used in this certification have meanings based upon the Definitions of Coverage sections of federal rules implementing Executive Order 12549.

The potential contractor/grantee agrees by submitting this certification that, should the proposed covered contract/grant be entered into, it shall not knowingly enter into any subcontract with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by a federal department or agency as applicable.

Do you have or do you anticipate having subcontractors/sub-grantees under this proposed contract? YES _____ NO _____

The potential contractor/grantee further agrees by submitting this certification that it will include this certification without modification, in all covered subcontracts and in solicitations for all covered documents.

A contractor/grantee may rely upon a certification of a potential subcontractor/sub-grantee that it is not debarred, suspended, ineligible or voluntarily excluded from the covered contract/grant, unless it knows that the certification is erroneous. A contractor/grantee must, at a minimum, obtain certifications from its covered subcontractors/sub-grantees upon each subcontract's/sub-grantee's initiation and upon each renewal.

Nothing contained in all the foregoing shall be construed to require establishment of a system of records in order to make in good faith the certification required by this certification document. The knowledge and information of a contractor/grantee is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

Except for contracts/grants authorized under paragraph 4 of these terms, if a contractor/grantee in a covered contract/grant knowingly enters into a covered subcontract/sub-grant with a person who is suspended, debarred, ineligible or voluntarily excluded from participation in the transaction, the federal government may pursue available remedies, including suspension and/or debarment as applicable.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION FOR COVERED CONTRACTS AND GRANTS

Indicate which statement applies to the covered potential contract/grantee:

The potential contractor/grantee certifies, by submission of this certification, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this contract/grant by any federal department or agency or by the State of Texas.

The potential contractor/grantee is unable to certify to one or more of the terms in this certification. In this instance, the potential contractor/grantee must attach an explanation for each of the above terms to which he is unable to make certification. Attach the explanation (a) to this certification.

NAME OF POTENTIAL CONTRACTOR / GRANTEE _____

BIDDER/OFFEROR ID NO. / FEDERAL EMPLOYER'S ID NO. _____

Signature of Authorized Representative

Printed/Typed Name of Authorized Representative

Date

Title of Authorized Representative

CERTIFICATION FOR FY:

START DATE:

END DATE: