



CITY OF HOUSTON

Sylvester Turner

Mayor



George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

Mario C. Diaz

Director of Aviation

February 2, 2023

SUBJECT: Letter of Clarification No. 1

REFERENCE: Request for Proposal(s) (RFP) for Job Order Contract for Houston Airport System (HAS); Solicitation No.: H93-JOC-2023-016

TO: All Prospective Respondents:

This Letter of Clarification (LOC) is issued for the following reasons:

- I. Extend** the bid due date from **February 9, 2023, to February 16, 2023, at 2:00 P.M., (CST).**
- II. Replace** Attachment B – Proposed Fees (Coefficient Factors), with the attached revised copy.
- III.** Provide updated language in solicitation.

1. Revised Section 1.1.1 of Specifications/Scope of Work, to read as follows:

1.1.1 The Houston Airport System (HAS) is currently seeking up to four (4) Job Order Contract (JOC) contractors for Operations & Maintenance (O&M) and Capital tasks to provide repairs, maintenance tasks, renovations, rehabilitations, alterations, and small construction projects services in a cost effective and time efficient manner. Each Contractor shall be awarded an equal amount per Capital and O&M funding. Contractors shall furnish all labor, materials, tools, supplies, instruments, equipment, transportation, insurance, Bonds, subcontracts, supervision, management, reports, permits, incidentals, and quality control, and shall perform all operations necessary and required for construction management and construction work, which will be defined in each Work Order (WO). **The contract term will be two (2) years with two one-year extension options.**

2. Revised Section 1.3 of General Information in the Sample Agreement, to read as follows:

1.3 In accordance with Texas Local Government Code §2269.403(b), the guaranteed minimum amount of Work to be awarded to Contractor during the term of this Agreement is \$500,000. Each Work Order will be a minimum amount of \$1,500 and

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a maximum amount of \$500,000. However, the City may issue a Work Order above \$500,000 after receiving City Council approval.

IV. To Respond to Questions.

1. **Question:** Please confirm that contractors will have to carry a \$3M/year payment and performance bond.

Response: Please refer to Section 3.22 Bonds, in the Sample Agreement. The successful Contractor(s) shall furnish and maintain a Payment and Performance Bond each year. The Bond amount approximates one year performance. The actual amount will be provided to the selected contractor(s).

2. **Question:** Will HAS accepts having payment and performance bond for each work order instead of a \$3M/year bond?

Response: No, the successful contractor(s) shall furnish and maintain a Payment and Performance bond each year.

3. **Question:** Please confirm that the O&P column is to be used in pricing the work orders.

Response: Yes, O&P (Overhead and Profit) will be included in each work order in accordance with the RS Means Standards.

4. **Question:** In the RFP it states that the contractor is to use the WinEst Estimating Software. Will RS Means Online be utilized as well since it is what HAS is currently using?

Response: WinEst Estimating Software is not required. RS Means Online will be utilized.

5. **Question:** In the RFP it states that we must use Primavera P6 for scheduling. Will MS Project be acceptable for scheduling as well?

Response: Primavera P6 is not required. MS Project is acceptable for scheduling.

6. **Question:** In the RFP it states RS Means Cost Book is the cost to be utilized. Please confirm whether it will be Bare (left hand) or with O&P (right hand)?

Response: Right Hand Means.

7. **Question:** In the RFP it states that the contractor is to move office furniture and portable office equipment. Please be more specific on types of furniture and office equipment which needs moving for painting purposes for example; not including cubicles or multi-piece furniture that must be taken apart then re-assembled; and excluding electronics and IT equipment.

Response: Office furniture and portable office equipment to be moved by the GC as part of their coefficient are as follows: Office desks and chairs, file cabinets big or small shelves,

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chalk or dry eraser boards mounted to the wall. However, items that are not covered by the coefficient are as follows: Multi-piece furniture that must be taken apart and re-assembled and cubicles. Office furniture and portable office equipment that will not be moved by the GC are as follows: Desk top phones, desk top computers, fax, copy, printer/scanner and shredding machines, all wall mounted TVs.

8. **Question:** In the RFP it states that all trash hauling is to be included in the coefficient. How is this possible if we are doing a demo only job, how are we supposed to dispose of the demoed material?

Response: Trash – As task orders will require differing methods and requirements to remove demolished waste from jobsites, rubbish handling line items will be excluded from the contractor's coefficient. Waste and disposal fees are not variable dependent on task order constraints; therefore, will remain in the contractor's coefficient.

9. **Question:** In the RFP it states that all Traffic Control is supposed to be included in the coefficient. We will not know the upfront cost until engineered and design is approved. We have no way of knowing what is needed from traffic lights with flashing arrows, concrete barricades, barrels, flagmen, etc. This work is subcontracted out to be completed and designed if a traffic plan is required. Please advise.

Response: Traffic Control – As task orders may require differing forms of traffic control, traffic control requirements are to be submitted as non-pre priced items within the contractor's cost proposal.

10. **Question:** Is there a minimum coefficient for this RFP?

Response: The minimum coefficient for this RFP is .90.

11. **Question:** Regarding EXHIBIT F – ATTACHMENT “A”: SCHEDULE OF MWBE PARTICIPATION. Since this is an indefinite delivery, indefinite quantity JOC contract with no pre-defined scope of work or dollar value it will be impossible to fill out the form. In the absence of defined scope of work and dollar value, bidders will not be able to identify any subcontractors by name or the dollar value of the subcontract contract. Will HAS accept just listing the names of potential MWSBE subcontractors and use TBD (To Be Determined) in response to the % of total bid column?

Response: The bidder is expected to state the value of commitment to the MWBE percentage and list highly probable certified suppliers and subcontractors that will be used when issued a scope of work.

12. **Question:** Regarding EXHIBIT F – ATTACHMENT “B”: MWBE LETTER OF INTENT. Since this is an indefinite delivery, indefinite quantity JOC contract with no pre-defined scope of work or dollar value, we cannot commit to any specific subcontractors or an amount. We request that this form only be required on a task order basis.

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Response: The bidder is expected to list all probable certified suppliers and subcontractors. For each certified firm listed, there shall be a corresponding letter to intent.

13. **Question:** EXHIBIT F – ATTACHMENT “D”: MAYOR’S OFFICE OF BUSINESS OPPORTUNITY M/WBE UTILIZATION REPORT appears to be a submittal only for awarded contractors. However, Attachment D, the “Required Submittal Checklist” includes this form. Please confirm that EXHIBIT F – ATTACHMENT “D” is not required with response to this solicitation.

Response: Exhibit F has been replaced with HAS OBO Diversity Management System - B2G Now. Once the successful bidder(s) has been selected, bidder(s) will receive access to report payments. Please submit with submission and place NA across the top of the page to be compliant.

14. **Question:** Regarding EXHIBIT H – 00600 LIST OF PROPOSED SUBCONTRACTORS, Since this is an indefinite delivery, indefinite quantity JOC contract with no pre-defined scope of work or dollar value, we cannot commit to any specific subcontractors or an amount. Also, this form requests the project price, name and number – making it appear that this is for use by awarded contractors. However, Attachment D, the “Required Submittal Checklist” includes this form. Please confirm that EXHIBIT H – 00600 LIST OF PROPOSED SUBCONTRACTORS is not required with response to this solicitation.

Response: Exhibit H must be completed. This list shall include all highly probable contractors and supplies, certified and non-certified. For value and %, indicate TBD.

15. **Question:** Regarding EXHIBIT N – 00631 PAY OR PLAY PROGRAM. Since this is an indefinite delivery, indefinite quantity JOC contract with no pre-defined scope of work or dollar value, we cannot commit to any specific subcontractors or an amount. Also, this form requests the project price, name and number – making it appear that this is for use by awarded contractors. However, Attachment D, the “Required Submittal Checklist” includes this form. Please confirm that EXHIBIT N – 00631 PAY OR PLAY PROGRAM is not required with response to this solicitation.

Response: All vendors (Prime and Subcontractors) must comply to the Pay or Play program once their amount reaches over the 200K threshold. When it comes to the POP Program, you can put the estimated amount, or it can be modified at a later time. You don’t have to provide all of the subcontractors’ names, but we will need for you to provide a list of the ones that are highly probable that you plan to work with.

16. **Question:** As this will be a task order based contract without a fully developed scope or quantity of work being performed at the time of bid the general contractor will not know which subcontractors will exceed the \$200k threshold of Pay or Play. As with other COH issued Job Order Contracts can Pay or Play be limited to the general contractor’s only and not apply for subcontractors?

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Response: All vendors (Prime and Subcontractors) must comply to the Pay or Play program once their contract amount reaches over the 200K threshold.

17. **Question:** As this will be a task order based contract without a fully developed scope or quantity of work being performed at the time of bid the general contractor will not know which MWBE contractors will be utilized or the amount of work each vendor will be performing. As with other COH issued Job Order contracts can a listing of potential MWBE vendors be provided at the time of bid with-out designation of dollar amount / % of contract awarded? Then can additional MWBE vendors be added to the contractor's plan during performance of the contract as MWBE's services apply to projects?

Response: Yes, the bidder is expected to commit to the MWBE percentage. The bidder must list highly probable certified suppliers and subcontractors that will be used when issued a scope of work. Yes, additional certified firms can be added during the course of the contract to maximize MWBE participation.

18. **Question:** Is the Schedule of MWBE Participation Form (Exhibit-F Attachment-A) a requirement due with our submission or upon award—since this form is referring to the agreed upon price and percentage of a project, how are we to calculate since this is a JOC and no current project has been awarded? Can we just fill in our proposed subs and leave those areas unknown TBD?

Response: Yes, it is due with submission. The bidder is expected to list its MWBE commitment on the form. The bidder shall list highly probable certified suppliers and subcontractors it will use when issued a scope of work.

19. **Question:** We understand that our proposed subcontractors need to fill in and sign the MWBE Letter of Intent Commitment Form (Exhibit-F Attachment-B); however, since we have no way of knowing the bid amount per project and per subcontractor—how can we ask them to commit to a percentage value when this is a JOC and not an awarded project as of yet? Can we just fill in the proposed firms and leave those areas unknown TBD?

Response: The bidder is expected to list all probable certified suppliers and subcontractors. For each certified firm listed, there shall be a corresponding letter of intent. The actual dollar value and percentage can be listed as TBD and determined once there is a scope of work.

20. **Question:** Is the MWBE Utilization Report (Exhibit-F Attachment-D) a requirement due with our submission or upon award—since this report is referring to amounts paid to date and percentage of contract paid to date? Can we just fill in the proposed firms and leave those areas unknown TBD?

Response: Exhibit F has been replaced with HAS OBO Diversity Management System - B2G Now. Once the successful bidder(s) has been selected, bidder(s) will receive access to report payments. Please submit with submission and place NA across the top of the page to be compliant.

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21. **Question:** How much MWBE credit will the Prime receive, if they are a certified MWBE firm?

Response: A certified prime will receive 50% credit for the certification he/she possess for a commercially use function of the project. A prime can only receive this credit once for one of his/her certifications.

When issued, a Letter of Clarification (LOC) shall automatically become part of the solicitation documents and shall supersede any previous specification(s) and/or provision(s) in conflict with the LOC. The LOC will be incorporated into the Agreement as applicable. It is the responsibility of the respondent(s) to ensure that it has obtained all such LOC(s). By submitting a proposal on this project, respondents shall be deemed to have received all LOC(s) and to have incorporated them into their submittal.

If further clarification is needed regarding this solicitation, please contact Amanda Joseph, Sr. Procurement Specialist, via email at Amanda.Joseph@houstontx.gov.

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DocuSigned by:

Cathy Vander Plaats

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DS
AP

Cathy Vander Plaats
Aviation Procurement Officer
Houston Airport System

cc: Alfredo Oracion
Dallas Evans
Solicitation File

**ATTACHMENT B
PROPOSED FEES (COEFFICIENT
FACTORS) RFP NO.: H93-JOC-2023-016**

COMPLETE, DATE, SIGN AND INCLUDE THIS FORM IN THE PROPOSAL IN TAB 9 – PROPOSED FEES (COEFFICIENT FACTORS)

Name of Proposing Firm: _____

By: _____
(Print Name)

(Print Title)

Authorized Signature: _____

Date Signed: _____

Proposed Coefficient Factors – Unit Price Book Pre-Priced Items		
Contract Year	Standard Hours Coefficient	Non-Standard Hours Coefficient
1		
2		
3		
4		

Proposed Coefficient Factors – Unit Price Book Non Pre-Priced Items		
Contract Year	Standard Hours Coefficient	Non-Standard Hours Coefficient
1		
2		
3		
4		