



CITY OF BROWNSVILLE
PURCHASING & CONTRACT SERVICES DEPARTMENT

**Request for Statements of Qualifications for
Professional Airport Planning and Development
Consulting Services for the Brownsville South
Padre Island International Airport**

SOQ # APS-08-0119

**SOQ DUE DATE: February 7, 2019
SOQ DUE TIME: 2:00 P.M.**



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

INVITATION

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

Description	NUMBER	Pre-Bid Meeting	OPENING
Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport	*Q APS-08-0119	<u>N/A</u>	<u>February 7, 2019 at 2:00 P.M.</u>

Sealed, bids/proposals/SOQ will be received by the City of Brownsville, at the Office of Roberto C. Luna, Jr., Purchasing Director, located at City Hall, 1001 E. Elizabeth Street, Suite 101, Brownsville, Texas 78520, (956) 548-6087, e-mail: 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/SOQ acknowledgement at the Office of the Purchasing/Contracting Department on the dates specified. Plans and Specifications are available at the Purchasing Office. Presence is not mandatory. Specifications may also be viewed and downloaded at:

<http://www.cob.us> <https://idp.bidnetdirect.com> <https://www.aaae.org/>

Roberto C. Luna, Jr.
Purchasing Director



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

Acknowledgment of Receipt

Please submit this page upon receipt.

For any clarifications, please contact Mr. Roberto C. Luna, Purchasing Director, at the City of Brownsville Purchasing & Contract Services office at (956) 548-6087 or e-mail: purchasing@cob.us.

Please fax, mail and/or e-mail this page upon receipt of S.O.Q package no later than January 18, 2019 at 3:00 P.M. CST.

Fax: (956) 546-2711

If you are unable to respond on this item, kindly indicate your reason for **“Not Responding”** below and fax back. This will insure you remain active on our vendor list.

Date: _____

Yes, I will be able to submit a Bid.

No, I will not be able to submit a Bid for the following reason:

Name: _____

Company: _____

Phone #: _____ Fax #: _____

E-mail address: _____

PLEASE NOTE:

Please take a moment to register your Company with the City of Brownsville Purchasing Department or update your registration on our new form at the following web site address:

<http://www.cob.us>

<https://idp.bidnetdirect.com>

<https://www.aaae.org/>



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

MISCELLANEOUS

Point of Contact.

For information regarding bidding procedures contact Mr. Roberto C. Luna, Purchasing Director, (956) 548-6087

TERMINATION BY THE CITY - The City of Brownsville reserves the right of unilateral termination of the contract by providing a thirty (30) day written notice of such intent.

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

DISCLOSURE OF INTEREST FORM - Please complete the attached Disclosure of Interest form and submit with your bid proposal.

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

CERTIFICATION FORM - Compliance with requirements for the participation of DBE's/ Debarment, Suspension, and other ineligibility and voluntary exclusion lower tier covered transactions/ Certification regarding restrictions on lobbying.

ADDENDA

The following Addenda have been received. The modifications to the Contract Documents noted therein have been considered and all costs thereto are included in the Bid Price.

Addendum No. Dated

Addendum No. Dated

Addendum No. Dated



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

INDEMNIFICATION

BIDDER covenants and agrees to FULLY INDEMNIFY, DEFEND and HOLD HARMLESS, the CITY and the elected officials, employees, officers, directors, volunteers and representatives of the CITY, individually and collectively, from and against any and all costs, claims, liens, damages, losses, expenses, fees, fines, penalties, proceedings, actions, demands, causes of action, liability and suits of any kind and nature, including but not limited to, personal or bodily injury, death and property damage, made upon the CITY directly or indirectly arising out of, resulting from or related to BIDDER'S activities under this contract, including any acts or omissions of BIDDER, any agent, officer, director, representative, employee, consultant or subcontractor of BIDDER, and their respective officers, agents employees, directors and representatives while in the exercise of the rights or performance of the duties under this contract. The indemnity provided for in this paragraph shall not apply to any liability resulting from the negligence of CITY, its officers or employees, in instances where such negligence causes personal injury, death, or property damage. IN THE EVENT BIDDER AND CITY ARE FOUND JOINTLY LIABLE BY A COURT OF COMPETENT JURISDICTION, LIABILITY SHALL BE APPORTIONED COMPARATIVELY IN ACCORDANCE WITH THE LAWS FOR THE STATE OF TEXAS, WITHOUT, HOWEVER, WAIVING ANY GOVERNMENTAL IMMUNITY AVAILABLE TO THE CITY UNDER TEXAS LAW AND WITHOUT WAIVING ANY DEFENSES OF THE PARTIES UNDER TEXAS LAW.

The provisions of this INDEMNITY are solely for the benefit of the parties hereto and not intended to create or grant any rights, contractual or otherwise, to any other person or entity. BIDDER shall advise the CITY in writing within 24 hours of any claim or demand against the CITY or BIDDER known to BIDDER related to or arising out of BIDDER's activities under this contract, and shall see to the investigation and defense of such claim or demand at BIDDER's cost. The CITY shall have the right, at its option and at its own expense, to participate in such defense without relieving BIDDER of any of its obligations under this paragraph.



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

BID REJECTION OR PARTIAL ACCEPTANCE – The CITY OF BROWNSVILLE reserves the right to reject any or all bids. It further reserves the right to waive technicalities and formalities in bids, as well as to accept in whole or in part such bid or bids where it deems it advisable in protection of the best interests of the City.

INSURANCE -

Prior to beginning work, the Contractor shall furnish the City with certificates of insurance in the amounts listed below:

A. Workers' Compensation Insurance

Amount: Statutory

B. Comprehensive General Liability Insurance

Amount: \$500,000 Each Occurrence
\$1,000,000 General Aggregate

C. Comprehensive Automobile Liability Insurance

Amount: \$500,000 Combined Single Limit

This insurance will be kept in force until the work under this contract has been completed and accepted by the City. The City will be listed as Additional Insured under the policy.

VALID SOQ TIME FRAME – The City may hold bids 90 days after opening without taking action. Bidders shall be required to hold their bids firm for the same period of time.



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

GENERAL INSTRUCTIONS

SECTION 1. GENERAL INFORMATION:

The City of Brownsville is seeking letters of interest and statements of qualifications from parties interested in performing comprehensive consulting firm in connection with the Planning and Development of airport projects. The successful Proposer must have extensive knowledge in FAA regulations, FAA design criteria, airport planning, environmental planning, airport noise studies construction cost analysis, and airport master plan updates. In addition, the successful Proposer must have experience with the FAA's approval process, projects funded by **Department of Transportation, Federal Aviation Administration Airport Improvement Program grants**. The selection process will be conducted in accordance with **FAA Advisory Circular 150/5100-14E**, as amended and all applicable federal, state and local regulations. Final execution of a contract will be contingent on the availability of funding. The proposer may or may not include their sub consultants with this SOQ. Initial contract period is three (3) years, with the possibility of two (2), one-year extensions at the discretion of the Airport Director, not to exceed five years total. **The purpose and intent of this Request for Qualifications is to enter into an agreement with one individual or firm to perform such services at the airport.** The successful proposer will be selected based on their qualifications as specified herein. Fee information will not be considered during the selection process. The resulting agreement shall be utilized on an as-needed or as-required basis; therefore, the airport does not guarantee the successful Proposer an agreement value of any amount for services to be rendered under this contract. The airport reserves the right to initiate additional procurement action for any portion of the prescribed services.

It is anticipated that this work will be accomplished in part with funds from the Federal Aviation Administration (FAA), local funds, and Passenger Facility Charge (PFC) Revenues. Since it is anticipated that these projects will be partially funded by federal grants, professional consultant services rendered for these projects must conform to all applicable requirements of the FAA and City of Brownsville's rules and regulations. Moreover, this solicitation requires compliance with **FAA Advisory Circular No. 150/5100-14E**, Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects dated September 25, 2015, as amended. Applicable Federal provisions include, but may not be limited to:

- Title VI of the Civil Rights Act of 1964; <https://www.justice.gov/crt/fcs/TitleVI-Overview>
- [Section 520 of the Airport and Airway Improvement Act of 1982;](#)
- [48 CFR part 31 – Contract Cost Principles;](#)
- [49 CFR Part 18.36\(i\) –Access to Records;](#)
- [49 CFR Part 20 – Lobby and influencing Federal Employees;](#)
- [49 CFR Part 26 – Disadvantage Business Enterprise participation;](#)
- [49 CFR Part 29 – Government-wide Debarment and Suspension; and](#)
- [49 CFR Part 30 – Federal Trade Restriction Clause.](#)



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

SECTION 2. SCOPE OF SERVICES:

The selected consultant may be requested to provide professional services on any or all of the following projects. These projects currently appear in the capital improvement program, which is updated periodically.

Additional projects not identified herein may also require services of the selected consultant.

- A. Update Airport Master Plan
- B. Periodic updates to the Airport Layout Plan and Exhibit A Updates
- C. Noise analysis to include Part 150 study
- D. Airfield and support area planning and conceptual design
- E. Miscellaneous facility and terminal planning
- F. Capital improvement planning and funding strategy assistance
- G. Environmental planning, permitting and documentation
- H. Environmental Assessments and Environmental Impact Studies
- I. Miscellaneous business planning and feasibility studies
- J. Construction oversight and provide construction cost analysis
- K. DBE Plan Preparations
- L. Rates and Charges Study
- M. Drainage Study
- N. Land Acquisition Appraisals, Relocation assistance for AIP projects and FAA Acquisition Submissions
- O. Pavement Maintenance Plan and PCN Index Analysis
- P. Benefit/Cost Analysis, Feasibility Studies, and other reports
- Q. Mapping and GIS Services
- R. Obstruction surveying, evaluation and removal
- S. Storm Water Pollution Prevention Plan Updates/Permitting

SECTION 4. QUALIFICATIONS

QUALIFICATIONS :

The selected consultant must possess the ability, experience, and reputation for high quality service necessary to produce high quality and functional projects. To ensure the engineer is capable of providing an acceptable level of service to the City, the following minimum qualifications must be met:

- * Consultant must have extensive experience in the airport planning, and engineering process and ability to direct, coordinate and prepare projects for Brownsville/South Padre Island International Airport.



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

- * Consultant must have knowledge of federal requirements concerning the A.I.P. Grant Process, and must be knowledgeable of all Federal Airport Design and Planning requirements.
- * Consultant must be properly licensed to perform professional architect/engineer services in the State of Texas.
- * Consultant must carry adequate Professional Liability Insurance.

SECTION 5. SELECTION PROCESS

A selection committee will select a minimum of three (3) to five (5) candidates from those responding to this SOQ, which appear best qualified relative to the evaluation criteria listed herein. Those candidates selected may be invited to make presentations to the selection committee. The committee will then rank the candidates in order of preference. Negotiations will be initiated with the number one ranked candidate to define a detailed scope of work and services. The City will obtain a cost estimate and will request the consultant to submit a fee proposal and cost breakdown for evaluation and negotiation. If a mutually satisfactory agreement cannot be reached with the first ranked candidate, negotiations will be terminated with that candidate and the negotiation process will be initiated with the second ranked candidate. This process will be repeated until a mutually satisfactory agreement is reached. When such an agreement is reached, a recommendation will be made to the City Commission to execute a contract pursuant to the agreement and subject to the availability of funding. The City reserves the right to reject any negotiated proposal at its sole discretion for any reason.

The evaluation criteria to be used in selecting and ranking engineers include, but are not limited to, the following:

- A. Capability to perform all aspects of the project, such as planning, environmental evaluations, terminal area plan and pedestrian/traffic flow evaluation, financial analysis, architectural design, and mechanical, electrical, and civil engineering.
- B. Recent experience in airport projects comparable to the proposed projects.
- C. Key personnel's professional background and caliber and availability for the proposed projects.
- D. Current workload.
- E. Demonstrated ability to meet schedules or deadlines.
- F. Capability to complete projects without having major cost escalations or overruns.
- G. Qualifications and experience of outside consultants regularly engaged by the consultant under consideration.
- H. Quality of projects previously undertaken.
- I. Knowledge of FAA regulations, policies, and procedures.



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

Evaluation Score Sheet

Name:	Max Points	Total Points
1. Recent experience for commercial service airports conducting Planning and Development Projects	<u>20</u>	
2. Qualifications and expertise of key staff.	<u>15</u>	
3. Demonstrated ability to meet schedules and project budgets.	<u>15</u>	
4. Experience and knowledge of FAA regulations, policies, and procedures.	<u>10</u>	
5. Client References/Quality of project undertaken.	<u>10</u>	
6. Qualifications of the Firm: Preference shall be given to those firms with experience in airport architectural, engineering, planning and environmental analysis related to the scope of services.	<u>20</u>	
7. Current workload and demonstrated ability to meet schedules and deadlines.	<u>10</u>	
TOTAL POINTS	100	



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

SECTION 6. STAMENT OF QUALIFICATION REQUIREMENTS

Proposal Content:

To standardize responses and simplify the comparison and evaluation of responses, all statements must be organized in the manner set forth below, separated into sections, and appropriately labeled. All information and materials requested must be provided in the proposal under a single cover. The proposal length shall be limited to a maximum of 23 single-sided pages, not including dividers and covers. Minimum font size must be ten (12) point.

a. Transmittal Letter: A transmittal letter shall be included in the submittal and signed by the intended project manager identifying the key personnel. The consultant in submitting qualifications for the work identified must address in the transmittal letter the project team envisioned. Work will proceed based upon project fund availability.

b. Executive Summary: summary which addresses the planning and other tasks for Brownsville South Padre Island International Airport and the methodology the consultant proposes to use in the preparation of the tasks included in this request. Any deviations, conflicts with other work or schedule difficulties should be addressed in this section. If different individuals or sub-consultants are proposed for the various efforts, these must be identified in the executive summary. It is recognized that the period of the services and variations in the scope will require changes to be discussed with the contract negotiations or amendment thereof, however, the initial submittal must address the tasks described in general terms. The consultants understanding of the issues involved with the work identified must be provided in the methodology presented.

c. Business Organization. State the full name and address of the firm's organization and the branch office that will perform the services. Identify the Principal-in-Charge of the branch office. The firm shall include a statement that to the best of its knowledge there are no circumstances that could cause a conflict of interest in performing services for the Authority. Include a statement that the Insurance and Indemnification Requirements included as Attachment 1 have been read and understood and will be accepted by the Consultant without modification upon entering into an agreement with the Authority.

d. Related Technical Experience. List up to five (5) similar airport-type projects on which the consultant's team acted in a capacity similar to this undertaking. Work performed more than five (5) years ago should not be listed. Projects performed at commercial service airports will receive higher scoring in the selection process. Include the following:

1. Project name and location
2. Consultants team/staff assigned to the project and the Project Manager.
3. Project owner's name, address, and phone number for a contact person.



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

4. Completion date of the project.
5. Total cost of the project.
6. The work performed by the consultant or sub-consultant.
7. Firms' responsibility and estimated percentage of the total services performed by the consultant on a particular project.
8. Brief description of the project and each consultant's responsibility on the project. SOQ APS-08-0119. The above information (items 1 through 8) must be provided for all proposed sub consultants. The use of standard forms is not desired. Submission of the U.S. Government's form 330 will not be accepted.

Project Staffing and Organization. State the qualifications of the project manager and personnel, including anticipated sub consultants, with specialized skills who will be used on the projects. The Authority desires to have a single Project Manager identified for all work. The Project Manager should be a key person in the consultant's organization. Provide a list of anticipated sub consultants that may be used and the work they will perform. Include resumes for all key personnel and show the following:

1. Name, specialty, and job title
2. Years of relevant experience with firm (and previous employers)
3. Academic degree(s), discipline, and year degree(s) received
4. Professional registrations
5. Office location where employed
6. A synopsis of experience, training or other qualities that reflect the individual's related experience and expected contribution to the anticipated projects.
7. Identify the percentage of time the key personnel will be engaged in a particular task.

f. Timely Completion of the Work. Discuss the consultant's and anticipated sub consultant's current workload, availability to perform work required for proposed projects, and demonstrated ability to meet schedules within budget.

g. Additional Information. Provide any additional information regarding your firm's (and sub-consultants') experience and capabilities that you feel would be important to the success of the project. The additional information is limited to six single sided pages or three double-sided pages. Pictures, graphs, inserts, spacers and charts are considered as additional information.



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

SECTION 7. PROPOSED TIME SCHEDULE

The schedule for conducting this selection process is proposed as follows, subject to revision:

Advertise solicitation of SOQ	January 6 and 13, 2019
Deadline to receive responses and qualification Statements from interested firms.	February 7, 2019
Selection Committee completes evaluation process	March 2019
Contract Awarded	March 2019

*Pending availability of funds

SECTION 8. DBE PARTICIPATION

Describe your program for the direct involvement of Disadvantaged Business Enterprises (DBE) in the ownership, management, or operation of your business. If you are a certified DBE, indicate the source of your certification. The current year DBE goal for Brownsville/South Padre Island International Airport is **8%**.

SECTION 9. SUBMISSION REQUIREMENTS

One (1) Original "Marked ORIGINAL" and Five (5) copies of the Statement of Qualifications and one electronic (PDF) submittals are to be submitted in a sealed envelope bearing the name and address of the Engineer, and should be clearly marked "Statement of Qualifications – Airport Planning and Development Consulting Services. Statements of Qualifications are to be submitted no later than 2:00 P.M. on February 7, 2019:

City of Brownsville
P.O. Box 911
Brownsville, TX 78520
ATTN: Roberto C. Luna, Jr.,
Purchasing & Contract Services Director
Telephone #: (956) 548-6087
Fax #: (956) 546-2711

Only timely received submittals meeting the requirements of this Request for Qualifications will be considered. No submittal will be considered or accepted which is submitted by a Consultant that is in default under the terms of any existing agreement with the City of Brownsville, or which has failed to perform its obligations faithfully under



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

any previous agreement with the City. Submittals shall be signed by an authorized representative of the Consultant.

SECTION 10. QUESTIONS REGARDING THIS REQUEST FOR QUALIFICATIONS

Questions regarding this project shall be submitted in writing and directed to:

Roberto C. Luna, Jr.,
Purchasing & Contract Services Director
City of Brownsville
1001 E. Elizabeth St., Suite 101
Brownsville, TX 78520
Telephone #: (956) 548-6087
Fax #: (956) 546-2711
E-Mail: Purchasing@cob.us

Deadline for questions is ***January 30, 2019 at 3:00 P.M.*** Amendments or revisions of this Statement of Qualification resulting from written questions will be developed as expeditiously as possible, and will be distributed to all parties requesting the original S.O.Q. package.

11.0 Restrictions on Lobbying Activity

A. Prohibited Contacts During Contract Evaluation

A vendor/contractor or a vendor's/contractor's agent/representative is prohibited from contacting city officials, including elected officials, and employees regarding a proposed contract from the time a Request for Proposal (RFP), a Request for Statements of Qualifications (RFQ-SOQ), a Bid Solicitation (IFB) or other solicitation has been released until the contract has been acted on by the City Commission. If contact is required, such contact will be done in accordance with procedures incorporated into the solicitation document. Violation of this provision by contractors, respondents or their agents, including lobbyists, may lead to disqualification of the respondent's offer.

B. A Lobbyists or Vendor/ Contractor May Not Place City Official Under Personal Obligation

A Lobbyist or a Vendor/Contractor or any of their agents may not do any act or refrain from any act for the express purpose and intent of placing any city official under personal obligation to the Lobbyist or Vendor/ Contractor.

C. False Statements

A lobbyist or the vendor/contractor or any of their agents/representatives cannot intentionally or knowingly make any false or misleading statement of fact to any city



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

official, or cause a copy of a document with false information to be received by an official without notifying the official in writing of the truth. Likewise, a registrant who learns that a statement in a registration form or activity report during the previous 3 years is false must correct that statement within 30 days by written notification to the Office of the City Secretary.

D. Use of False Identification

A lobbyist or the vendor/contractor or any of their agents/representatives cannot communicate with a city official in the name of any fictitious person or in the name of any real person, without that person's consent.

E. Improper Influence

A lobbyist or the vendor/contractor or any of their agents/representatives cannot cause or influence the introduction of any ordinance, resolution, appeal, application, petition, nomination, or amendment for the purpose of later being employed as a lobbyist to secure its granting, denial, confirmation, rejection, passage, or defeat.

F. Improper Representation

A lobbyist or the vendor/contractor or any of their agents/representatives cannot represent that the person can control or obtain the vote or action of any city official.

1 City 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.

Disclosures and Requirements for City Vendors/Contractors

Lobbyists are often retained for the purpose of assisting vendor/contractor seeking to do business with the city. The standards of conduct applicable to city contractors or other vendor/contractor of lobbyists are discussed below.

A. Prohibited Contacts During Contract Evaluation

A vendor/contractor or a vendor's/contractor's agent is prohibited from lobbying activities with city officials, including elected officials, and employees regarding a proposed contract from the time a Request for Proposal (RFP), a Request for statements of Qualifications (RFQ-SOQ), a Bid Solicitation (IFB) or other solicitation has been released until the contract is posted as a City Commission agenda item. If contact is required, such contact will be done in accordance with procedures incorporated into the solicitation document. Violation of this provision by respondents or their agents, including lobbyists, may lead to disqualification of the respondent's offer. There is a parallel no-contact provision for lobbyists and their agents.



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

B. The City's Discretionary Contracts Disclosure Form

When seeking a discretionary^{1[2]} city contract, the contractor must submit a form disclosing:

- the identity of all parties to the contract;
- subcontractors;
- partners, parent or subsidiary business entities of any party to the contract;
- any lobbyist or public relations firm that has been employed for a purpose related to the contract.

The vendor/contractor must also disclose all political contributions^{2[3]} totaling more than \$100 made by the parties or the other individuals or entities listed on the form made directly or indirectly to:

- any current or former member of City Commission, including the Mayor;
- any candidate for City Commission, including the Mayor;
- any political action committee (PAC) that contributes to City Commission elections.

Indirect contributions include contributions made by an individual's spouse or by the officers, owners, attorneys, or registered lobbyists of the entity.

Indirect contributions do not include contributions by owners of a business entity who hold less than 5% of the fair market value or voting stock of the entity. If a publicly traded corporation seeks to contract with the city, it will not be required to list contributions made by its shareholders whose holdings are less than 5%.

² "Discretionary contract" means any contract other than those which by law must be awarded on a low or high qualified bid process. They do not include contracts subject to Section 252.022(a)(7) of the Texas Local Government Code or those contracts not involving an exercise of judgment or choice.

³ Political contributions include both campaign and officeholder contributions.

C. Chapter 176 of the Local Government Code

Effective January 1, 2006, Chapter 176 of the Local Government Code requires all vendors or those who seek to contract for the sale or purchase of property, goods, or services with a local governmental entity to submit a completed "conflict of interest questionnaire" with the Office of the City Secretary within seven (7) days after the person:



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

- 1) begins contract discussions or negotiations; or
- 2) submits an application, response to a request for proposal or bids, correspondence, or another writing related to a potential agreement with the local governmental entity.

The questionnaire requires the vendor/contractor or contract seeker to disclose business or employment relationships with Commissioners, Mayor and the City Manager. The Texas Ethics Commission is responsible for drafting the questionnaire and a link to the form on the Texas Ethics Commission website is posted on the “Forms” page of the city’s ethics webpage. It is subject to change and anyone subject to the requirement should consult the TEC website to obtain the most up-to-date form.

Violation of Chapter 176 of the Local Government Code is a class C misdemeanor. Please consult your own legal counsel for questions about compliance.

D. Political Contribution Prohibition

Any person or company official acting as a legal signatory for a proposed “high-profile” city contract cannot make a political contribution to any Commissioner or candidate from the time a Request for Proposal (RFP), Request for Statements of Qualifications (RFQ-SOQ) or Invitation for Bids (IFB) is issued or from the time negotiations or discussions for a contract for which no competitive solicitation begins until thirty (30) days after the contract is awarded.

The designation of “high-profile” is assigned in accordance with the City of Brownsville Purchasing Policy Manual.

4. “High-Profile”- A designation of profile assessment, based on contract value, level of community interest, non-competitive acquisition, and contract complexity.



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

AUTHORIZED CONTACT FORM:

This *IFB/RFP/SOQ has been issued by City of Brownsville Purchasing & Contract Services Department. The Purchasing & Contract Services Department shall be the vendor's sole point of contact with regard to the IFB/RFP/SOQ, its content, and all issues concerning it.

All communication regarding this IFB/RFP/SOQ shall be directed to an authorized representative of City Purchasing & Contract Services Department. The Purchasing Director or Assistant Director facilitating this IFB/RFP/SOQ is identified on the cover page, along with his or her telephone number, and he or she shall be the primary point of contact for discussions or information pertaining to the IFB/RFP/SOQ. Contact with any other City representative, including elected officials, for the purpose of discussing this IFB/RFP/SOQ, its content, or any other issue concerning it, is prohibited unless authorized by the Purchasing & Contract Services Department Director or Assistant Director. Violation of this clause, by the vendor having unauthorized contact (verbally or in writing) with such other City representatives, may constitute grounds for rejection by the Purchasing & Contract Services Department of the vendor's quotation.

The above stated restriction on vendor contact with City representatives shall apply until the City has awarded a purchase order or contract to a vendor or vendors.

SIGNATURE _____ TITLE _____

COMPANY _____ DATE _____

State of _____, County of _____

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Public _____

My Appointment Expires: _____

- * IFB – Invitation for Bids
- RFP – Request for Proposals
- SOQ – Statements of Qualifications



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

**CITY OF BROWNSVILLE
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.

FIRM NAME:

STREET: _____

FIRM is: 1. Corporation () 2. Partnership () 3. Sold 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

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



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

--	--	--

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 for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

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 or 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 for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

**CITY OF BROWNSVILLE
STATEMENT OF NON-COLLUSION**

The undersigned affirms that they are dully authorized to execute this contract, that this company, corporation, firm, partnership or individual has not prepared this proposal in collusion with any other respondent, and that the contents of this proposal as to prices, terms or conditions of said proposal have not been communicated by the undersigned nor by any employee or agent to any other person engaged in this type of business prior to the official opening of this proposal.

Company _____

Address _____

Phone _____

Fax Number _____

Bidder
(Signature) _____

Bidder
(Print Name) _____

Position
with Company _____

Signature of Company
Official Authorizing This
Bid _____

Company Official
(Print Name) _____

Official
Position _____

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



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

Certificate of Interested Parties

House Bill 1295

In 2015, the Texas Legislature adopted [House Bill 1295](#), which added section 2252.908 of the Government Code. The law states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The law applies only to a contract of a governmental entity or state agency that either (1) requires an action or vote by the governing body of the entity or agency before the contract may be signed or (2) has a value of at least \$1 million. The disclosure requirement applies to a contract entered into on or after January 1, 2016.

The Texas Ethics Commission was required to adopt rules necessary to implement that law, prescribe the disclosure of interested parties form, and post a copy of the form on the commission’s website. The commission adopted the Certificate of Interested Parties form (Form 1295) on October 5, 2015. The commission also adopted new rules (Chapter 46) on November 30, 2015, to implement the law. The commission does not have any additional authority to enforce or interpret [House Bill 1295](#).

A business entity must use the application to enter the required information on Form 1295 and print a copy of the completed form, which will include a certification of filing that will contain a unique certification number. An authorized agent of the business entity must sign the printed copy of the form and have the form notarized. The completed Form 1295 with the certification of filing must be filed with the governmental body or state agency with which the business entity is entering into the contract.

Follow the hyperlink below to submit electronic filing application Form 1295 *(Must be submitted with bid/proposal package to be considered by the City of Brownsville). The Purchasing/Contracting Department requires “CERTIFICATE OF INTERESTED PARTIES FORM 1295” from your firm in order to be considered as per Government Code section §2252.908*

[HTTPS://WWW.ETHICS.STATE.TX.US/FILE/](https://www.ethics.state.tx.us/file/)

Acknowledged by,

(Name of Bidder)

(Signature)

(Print)

Date

Note: This page must be filled in and submitted with the sealed bid/proposal as an acknowledgement of bid/proposal document requirements by the City of Brownsville



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

CERTIFICATE OF INTERESTED PARTIES		FORM 1295																	
<p>Complete Nos. 1 - 4 and 6 if there are interested parties. Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.</p>		OFFICE USE ONLY																	
<p>1 Name of business entity filing form, and the city, state and country of the business entity's place of business.</p>																			
<p>2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.</p>																			
<p>3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the goods or services to be provided under the contract.</p>																			
4	Name of Interested Party	City, State, Country (place of business)	Nature of Interest (check applicable)																
			<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Controlling</td> <td style="text-align: center;">Intermediary</td> </tr> <tr> <td style="height: 20px;"></td> <td style="height: 20px;"></td> </tr> <tr> <td style="height: 20px;"></td> <td style="height: 20px;"></td> </tr> <tr> <td style="height: 20px;"></td> <td style="height: 20px;"></td> </tr> <tr> <td style="height: 20px;"></td> <td style="height: 20px;"></td> </tr> <tr> <td style="height: 20px;"></td> <td style="height: 20px;"></td> </tr> <tr> <td style="height: 20px;"></td> <td style="height: 20px;"></td> </tr> <tr> <td style="height: 20px;"></td> <td style="height: 20px;"></td> </tr> </table>	Controlling	Intermediary														
Controlling	Intermediary																		
<p>5 Check only if there is NO Interested Party. <input type="checkbox"/></p>																			
<p>6 AFFIDAVIT</p>		<p>I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.</p>																	
		<p>_____</p> <p>Signature of authorized agent of contracting business entity</p>																	
<p>AFFIX NOTARY STAMP / SEAL ABOVE</p>																			
<p>Sworn to and subscribed before me, by the said _____, this the _____ day of _____, 20_____, to certify which, witness my hand and seal of office.</p>																			
<p>_____</p> <p>Signature of officer administering oath</p>		<p>_____</p> <p>Printed name of officer administering oath</p>																	
		<p>_____</p> <p>Title of officer administering oath</p>																	
ADD ADDITIONAL PAGES AS NECESSARY																			



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

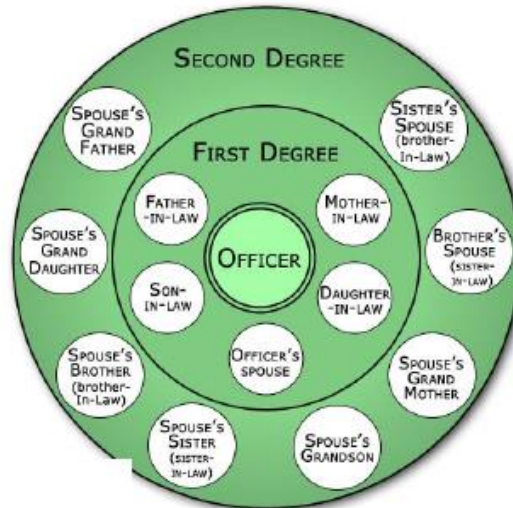
February 7, 2019 at 2:00 P.M.

NEPOTISM CHART

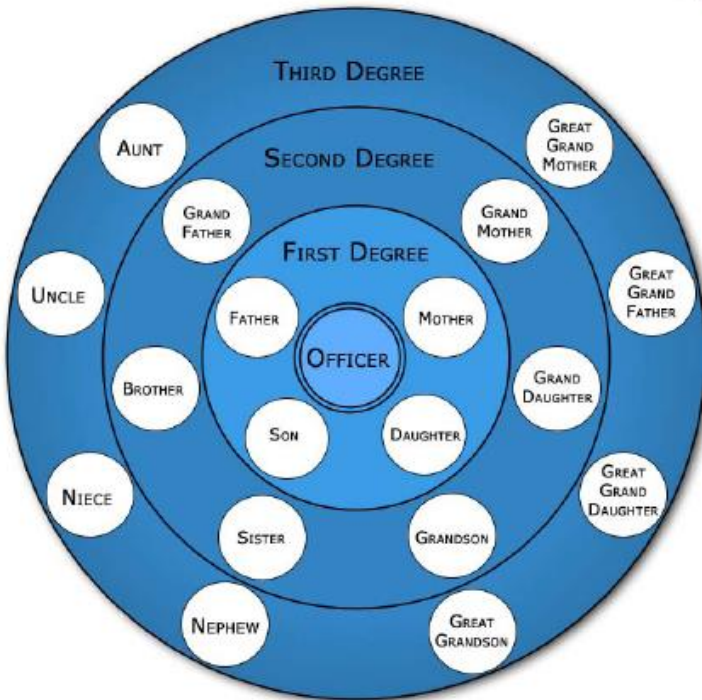
The chart below shows

- **Affinity Kinship** (relationship by marriage)
- **Consanguinity Kinship** (relationship by blood) for purposes of interpreting nepotism as defined in VTCA Government Code, Chapter 573, §§573.021 - .025

AFFINITY KINSHIP
Relationship by Marriage



CONSANGUINITY KINSHIP
Relationship by Blood





Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

HISTORICALLY UNDERUTILIZED BUSINESSES SUBMITTAL REQUIREMENTS:

It is the policy of the City of Brownsville Purchasing & Contract Services Department to promote and encourage contracting and subcontracting opportunities for Historically Underutilized Businesses (HUB) in all contracts. Accordingly, the Purchasing & Contract Services Department has adopted the State of Texas Statewide HUB Program, administered by the Texas Building and Procurement Commission. If the Purchasing & Contract Services Department determines that subcontracting opportunities are probable, then a HUB Subcontracting Plan is a required element of the contract.

Please follow the following link and choose Cameron County to run a HUB search.

<http://www.window.state.tx.us/procurement/cmb/cmbhub.html>

Centralized Master Bidders List (CMBL) & Historically Underutilized Business (HUB) Search

Search:
 CMBL only, HUBs on CMBL, HUBs not on CMBL
 HUB Mentor Protege, All Vendors

Vendor ID: ?
Vendor Number: ?
Vendor Name: begins with Name ?
Include Inactive Vendors: ? **Small Businesses Only:** Yes, No

Selection 1: Class Code: Item: District:
Selection 2: Class Code: Item: District:
Selection 3: Class Code: Item: District: ?
[Class Code](#) | [Item Code](#) | [District](#)

Texas County: Cameron
City: begins with
Zip: begins with
Sort by: City
Output as: Detail List
Results: return all matches

Output may contain coded information in [Hub Status](#) and [Reason Off CMBL](#)

Texas Online | Statewide Search from the Texas State Library | State Link Policy | Texas Homeland Security
Susan Combs, Texas Comptroller • Window on State Government • Contact Us
Privacy and Security Policy | Accessibility Policy | Link Policy | Public Information Act | Compact with Texans



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

CERTIFICATION FORM

A) COMPLIANCE WITH REQUIREMENTS FOR THE PARTICIPATION OF DISADVANTAGED BUSINESS ENTERPRISES (DBE's)

The bidder hereby certifies that it will not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The requirements of 49 CFR Part 26 and U.S. DOT-approved Disadvantage Business Enterprise (DBE) program are incorporated in this contract by reference.

B) DEBARMENT, SUSPENSION, AND OTHER INELIGIBILITY AND VOLUNTARY EXCLUSION LOWER TIER COVERED TRANSACTIONS

The bidder certifies that neither the bidder, its third party subcontractors, nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

C) CERTIFICATION REGARDING RESTRICTIONS ON LOBBYING

The bidder certifies that no Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

SIGNATURE _____ TITLE _____

COMPANY _____ DATE _____

State of _____, County of _____

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public _____

My Appointment Expires: _____



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

Protest Procedure

The protest must outline the specific portion of the specification or IFB procedure that had been violated.

Prospective bidders whose direct economic interest would be affected by the award of a contract or by failure to award a contract may file a protest. The purchaser (City of Brownsville/Airport) will consider all protests requested in a timely manner regarding the award of a contract, whether submitted before or after an award. All protests are to be submitted in writing to: Roberto C. Luna, Jr., Purchasing/Contracting Director, City of Brownsville Purchasing Department, City Hall, 1001 E. Elizabeth St., First Floor, Suite 101 Brownsville, TX 78520. Protest submissions should be concise, logically arranged, and clearly state the grounds for protest. Protest must include the following information:

- (A) name, address, and telephone number of protestor,
- (B) identification of contract solicitation number,
- (C) a detailed statement of the legal and factual grounds of the protest, including copies of relevant documents, and
- (D) a statement as to what relief is requested.

Protest must be submitted to the City of Brownsville Purchasing Department in accordance with these procedures and time requirements must be complete and contain all issues that the protestor believes relevant. In the procedure outline below, the Purchasing/Contracting Director is considered to be the Contracting Officer.

1.3.1 Protest Before Opening

Protests alleging restrictive specifications or improprieties which are apparent prior to the bid deadline or receipt of bids must be submitted in writing to the Contracting Officer at the address above and must be received at least seven (7) days prior to the bid opening. If the written protest is not received by the time specified in bid package may be received and award made in the normal manner unless the Contracting Officer determines that remedial action is required. Oral protest not followed up by a written protest will be disregarded. The Contracting Officer may request additional information from the appealing party and information or responses from other bidder, which shall be submitted to the Contracting Officer not less than ten (10) days after the date of the City of Brownsville's request. So far as practicable, appeals will be decided based on the written appeal,



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

information and written responses submitted by the appealing party and other proposers. In failure of any party to timely respond to a request form information, it may be deemed by the purchaser that such party does not desire to participate in the proceeding, does not contest the matter, or does not desire to submit a response, and in such case, the protest will proceed and will not be delayed due to the lack of response. Upon receipt and review of written submissions and any independent evaluation deemed appropriate by the purchaser, the Contracting Officer shall either (a) render a decision, or (b) at the sole election of the Contracting Officer, conduct an informal hearing at which the interested parties will be afforded the opportunity to present their respective positions and facts, documents, justification, and technical information in support thereof. Parties may, but are not required to, be represented by counsel at the informal hearing, which will not be subject to formal rules of evidence or procedures. Following the informal hearing, if one is held, the Contracting Officer will render a decision, which shall be final, and notify all interested parties thereof in writing but no later than ten (10) days from the date of the informal hearing.

1.3.2 Protest After Opening/Prior to Award

Proposal protests against the making of an award by the purchaser must be submitted in writing to the Contracting Officer and received within seven (7) days of the award by the purchaser. Notice of the protest and the basis thereto will be given to all proposers. In addition, when a protest against the making of an award by the purchaser is received and it is determined to withhold the award pending disposition of the protest, the proposers whose proposals might become eligible for award shall be requested, before the expiration of the time for acceptance, to extend or to withdraw the proposal. Where a written protest against the making of an award is received in the time period specified, award will not be made prior to seven (7) days after resolution of the protest unless the purchaser determines that:

- (a) the items to be purchased are urgently required
- (b) delivery or performance will be unduly delayed by failure to make an award promptly, or
- (c) failure to make an award will otherwise cause undue harm to City of Brownsville or the federal government.

1.3.3 Protest After Award

In instances where the award has been made, the Contractor shall be furnished with the notice of protest and the basis thereof. If the contractor has not executed the contract as of the date of the protest



Request for Statements of Qualifications for Professional Airport Planning and Development Consulting Services for the Brownsville South Padre Island International Airport

SOQ # APS-08-0119

February 7, 2019 at 2:00 P.M.

is received by the City of Brownsville; the execution of the contract will not be made prior to seven (7) days after resolution of the protest unless the City of Brownsville determines that:

- (a) the items to be purchased are urgently required
- (b) delivery or performance will be unduly delayed by failure to make an award promptly, or
- (c) failure to make an award will otherwise cause undue harm to the City of Brownsville or the federal government.