

**DESIGN-BUILD FIRM SELECTION**  
**PHASE ONE**

**REQUEST FOR QUALIFICATIONS  
FOR  
DESIGN-BUILD SERVICES  
RFQ No. 2010-5**

**for a new**

**PROFESSIONAL MINOR LEAGUE BASEBALL STADIUM  
in  
SUGAR LAND, TEXAS**



July 22, 2010

**DEADLINE FOR SUBMITTAL**

**11:00 a.m., local time, Thursday, September 2, 2010**

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Attachment

**DESIGN-BUILD FIRM'S RESPONDENT QUESTIONNAIRE**

## SECTION 1

### INTRODUCTION

#### 1.1 Direction and Management

This project is under the direction and management of the City of Sugar Land, Texas (Owner or City) and Opening Day Partners, LLC (ODP). This project is a public work as defined in Chapter 2253 of the Texas Government Code and is subject to the provisions of Chapter 271 of the Texas Local Government Code.

#### 1.2 Objectives

The purpose of this project is to design and construct, based on Owner-provided bridging documents (consisting generally of detailed program, performance and construction specifications, preliminary design layout plans or other drawings, site surveys and infrastructure information and other like documents, as may be applicable), a new Professional Minor League Baseball Stadium located on the Imperial Redevelopment/Tract3 site near the northeast corner of Hwy 6 and Hwy 90A for the City of Sugar Land, Texas (Project). The project work includes, but is not limited to:

1. Site Work (driveways, sidewalks, parking, lighting, grading, landscaping, irrigation, site utilities, etc.)
2. Foundation and structure for the stadium
3. Exterior and interior building finishes, windows, doors, hardware, etc.
4. Building electrical, mechanical and plumbing
5. Field work to within approximately two (2') feet of finished grade

The Owner reserves the right to purchase selected materials and/or equipment and have installed by others at no cost to the Design-Build Contractor. During the phase two selection process, bridging documents will be issued to selected Respondents that will specify more detailed requirements.

The Owner shall also provide a topographic survey (hard copy and electronic format), geotechnical report, traffic impact analysis and a Phase 1, Environmental Site Assessment with the RFP bridging documents.

#### 1.3 Definitions

As used in this Request for Qualifications (RFQ), the terms have the meanings set forth below:

“Design-Build Contract” means a single stipulated fixed price contract between a Design-Build Contractor and the City, with certain participation, access and management rights being jointly enforceable by the City and ODP, to complete the design and construction of a new Professional Minor League Baseball Stadium in Sugar Land, Texas.

“Design-Build Contractor” means a partnership, corporation, firm, or other legal entity or team that includes an engineer, architect and builder qualified and licensed to engage in design and building construction in the state of Texas.

“Owner” means the City of Sugar Land, Texas.

“Respondent” means a Design-Build Contractor that has submitted the required response to this RFQ.

## SECTION 2

### NOTICE TO RESPONDENTS

#### 2.1 General

The City of Sugar Land, Texas (Owner) is accepting sealed statement of qualifications (SOQ) for phase one (Phase One Selection) of a two-phase selection process to enter into a contract with a Design-Build Contractor to design and construct a new Professional Minor League Baseball Stadium, as provided at Section 271.119 of the Texas Local Government Code. This Request for Qualifications (RFQ) provides information for interested parties to prepare and submit their qualifications for consideration by the City of Sugar Land.

Respondents are cautioned to submit a complete and accurate response to all the requirements of and information requested under this RFQ. Failure to comply with the requirements contained in this RFQ may cause the rejection of your submittal.

#### 2.2 Statement of Qualifications (SOQ) Submission

Submit one original and nine (9) complete copies and a compact disk with a .pdf file of the entire SOQ in a sealed envelope marked as follows:

**Statement of Qualifications for the Design-Build of  
a new Professional Minor League Baseball Stadium  
in Sugar Land, Texas  
RFQ No. 2010-5**

SOQ submissions must be received in the City of Sugar Land's Office of the City Secretary, 2700 Town Center Boulevard North, Sugar Land, Texas, 77479, on or before 11:00 a.m., local time, Thursday, September 2, 2010, at which time the sealed submittals will be publicly opened and Respondents' names read aloud.

#### 2.3 Submittal Deadline

The City of Sugar Land will accept SOQ submissions for Phase One Selection at the address listed above until 11:00 a.m., local time, Thursday, September 2, 2010. Submittals received after this closing time will be returned unopened.

#### 2.4 Pre-Submittal Meeting

A mandatory pre-submittal meeting for all interested parties will be held on 11:00 a.m., Thursday, August 5, 2010 at City of Sugar Land's City Hall Council Chambers 2700 Town Center Boulevard North, Sugar Land, Texas, 77479.

#### 2.5 Contact

Any and all questions regarding this Request for Qualifications (RFQ) shall be directed to Mr. Mike Hobbs at mhobbs@sugarlandtx.gov.

Potential respondents shall restrict all contact and questions regarding this RFQ to the above individual. Contact with any City of Sugar Land elected official or employee and/or employee of Opening Day Partners, LLC is prohibited.

2.6 Public Information

The Owner considers all information, documentation and other materials requested to be submitted in response to this solicitation to be a non-confidential and/or non-proprietary nature and therefore subject to public disclosure under the Texas Public Information Act (Texas Government Code, Chapter 552.001, ct scq.) after a contract is awarded.

Respondents are hereby notified that the Owner adheres to all statutes, court decisions, and opinions of the Texas Attorney General with respect to disclosure of RFQ information.

2.7 Selection Criteria

No fees for services, cost information, or price related factors are requested and will not be considered in Phase One Selection evaluations.

For each separate phase of the evaluation process, a selection committee shall evaluate and rank order all responsive submittals based on the following evaluation criteria and respective weighting. Based on the rank order from Phase One Selection, the Owner may qualify up to five (5) Respondents to participate in phase two of the selection process.

<b>Evaluation Criteria</b>	<b>Weighting: Phase One Selection</b>	<b>Weighting: Phase Two Selection</b>
1. Overall responsiveness of the respective submittal	5%	5%
2. Evaluation of Design-Build Firm’s Respondent Questionnaire Information	15%	5%
3. Qualifications and experience of design firms or others proposed as members of the Design-Build Contractor team, including any previous experience working together or with the Design-Build Firm	15%	5%
4. Qualifications and experience of Key Personnel proposed to be assigned to the Project	15%	5%
5. Demonstrated previous technical experience and competence of the Design-Build Firm with projects of similar size using the Design-Build construction delivery method	15%	5%
6. Demonstrated project experience on professional minor league or other baseball stadium projects	20%	5%
7. Approach to the project, including compliance with the project schedule and project budget	15%	5%
8. Proximity of Key Personnel and Major Subcontractors to Project Site	N.A.	10%
9. Interview	N.A.	15%
10. Proposed project cost	N.A.	40%

For Evaluation Criteria Nos. 2, 3, 4, 5, 6 & 7, Respondent’s information submitted during Phase One shall be included in the evaluation for the Phase Two Selection as noted above.

## 2.8 Acceptance of Evaluation Methodology

Submission of qualifications indicates Respondent's acceptance of the evaluation techniques and the recognition that subjective judgments must be made by the Owner during the evaluation process. Further, each Respondent, by submission of its response, acknowledges and understands that the City and ODP will perform investigations into the Respondent's past performance, character, and experience and agrees that submission of a response acts to waive and release any and all of the Respondent's claims against the City and/or ODP, and their respective agents, attorneys, consultants and employees, in relation to such investigations and, further, that submission of a response acts as an authorization by the Respondent for the City and/or ODP to request and obtain information concerning the respective Respondent and as authorization for any party to whom the City and/or ODP directs an inquiry, to release the information so requested.

## 2.9 Certification to the Owner

**In response to this RFQ, the Design-Build Contractor must certify in writing to the City of Sugar Land that each architect and engineer that is a member of the Design-Build team was selected based solely on their demonstrated competence and qualifications in the manner provided by Section 2254.004, Government Code.** The engineer shall be licensed in the state of Texas and have responsibility for compliance with the engineering design requirements and all other applicable requirements of the Texas Engineering Practice Act (Article 3271a, Vernon's Texas Civil Statutes). The architect shall be licensed in the state of Texas and have responsibility for compliance with the requirements of Chapter 478, Acts of the 45<sup>th</sup> Legislature, Regular Session, 1997 (Article 249a, Vernon's Texas Civil Statutes).

## 2.10 Obligation of Parties

Respondent understands and acknowledges by submitting a response that the submittal presented is based on assumed requirements for the proposed Project, and that the Owner has made no written or oral representations that any such requirements will, ultimately, form a part of the Design-Build Contract arising from the Phase One Selection submittal.

Furthermore, Respondent understands and acknowledges by submitting a response, that any and all costs incurred by the Respondent as a result of the Respondent's effort to participate in this selection process, shall be at the sole risk and obligation of the Respondent and shall not be the subject of any right of re-imbursement from the City or ODP.

## 2.11 Tentative Project Schedule

Issue Request for Qualifications (RFQ)	July 29, 2010
Mandatory Pre-Submittal Meeting	August 5, 2010
Statement of Qualifications Submittal Date to City	September 2, 2010
Announce Selected Respondents for Phase Two Consideration	September 17, 2010
Request for Proposal (RFP) issued to Selected Respondents	October, 15, 2010
Mandatory Pre-Proposal Meeting	October 21, 2010
Proposals Submittal Date to City	November 29, 2010
Conduct Interviews	December 2-3, 2010

“Best Value” Proposal Identified, Begin Negotiations	December 8, 2010
NTP issued	December 30, 2010
Interim Design Submittal (Stadium)	TBD
75% Design Submittals (Site & Stadium)	TBD
90% Design Submittals (Site & Stadium)	TBD
Begin Construction of Site Work	TBD
Begin Construction of Stadium Work	TBD
Construction Complete – “PLAY BALL”	April 1, 2012

2.12 Project Budget

Design-Build Contract Budget \$23 million

## **SECTION 3**

### **SUBMITTAL INSTRUCTIONS**

#### 3.1 General Instructions

Respondent should carefully read the information contained herein. It is the responsibility of the Respondent to submit a complete response to all requirements and questions. Statement of Qualifications (SOQ) and any other information submitted by Respondents shall become the property of the City.

The Owner will not provide compensation to Respondents for any expenses incurred for SOQ preparation or for any presentations made.

Submissions which are qualified with conditional clauses, or alterations, or items not called for in the RFQ documents, or irregularities and deviations from the requirements of this RFQ of any kind are subject to disqualification by the Owner, at its option.

Each submittal should provide a straightforward, concise description of your firm's qualifications and ability to meet the requirements of the Project. Emphasis should be on completeness, clarity and accuracy of content, and responsiveness to the requirements of this RFQ.

The Owner makes no guarantee that an award will be made as a result of this RFQ, and reserves the right to accept or reject any or all submittals, waive any formalities or minor technical inconsistencies, or delete any item/requirements from this RFQ or resulting contract when deemed to be in the Owner's best interest.

#### 3.2 Preparation and Submittal Instructions

SOQs must be typed on a maximum of twenty (20) double-sided, letter-size (8-1/2" x 11") pages, 11 point font. Each copy of the SOQ shall be in a binder; the cover showing clearly the project name and the return address of the Respondent. Sections should be divided with tabs for ease of reference. Covers and tabs do not count against the twenty (20) page limit.

Include a Table of Contents that includes page number references. The Table of Contents should be in sufficient detail to facilitate easy reference of the submittal.

All pages shall be numbered sequentially in Arabic numerals (1, 2, 3, etc.).

Submit one (1) original and nine (9) complete copies and one (1) compact disc with a .pdf file of the entire SOQ to the individual identified by the date and time specified in Section 2, Notice to Respondents. Clearly mark "Original" on the front of the binder containing the original documents with original signatures.

#### 3.3 Outline for SOQ

3.3.1 One page cover letter signed by an officer of the Respondent that includes the certification required in Paragraph 2.8 and a commitment that the key personnel identified in the SOQ will be assigned to the Project for the duration of the Project, if

- the Respondent's submission results in an award of a Design-Build Contract to Respondent.
- 3.3.2 Table of Contents
  - 3.3.3 Section One – Respondent Information. Provide completed Design-Build Firm's Respondent Questionnaire signed and notarized (see attached)
  - 3.3.4 Section Two – Design Consultants. Provide name, address, phone number, general qualifications and experience of design consultant firms proposed as members of the Design-Build Contractor's team. Firms shall include, as a minimum, the Project Architect, Civil Engineer, Structural Engineer, Mechanical Engineer, Electrical Engineer, Plumbing Engineer and Landscape Architect. Identify any projects with which the Design-Build Contractor has worked with these firms. Attach your Project Organization Chart.
  - 3.3.5 Section Three – Key Personnel. Present the qualifications, relevant experience, project responsibilities and current home office location of key personnel to be assigned to the project. Key personnel shall include, as a minimum, Construction Project Manager, Project Architect, Civil Engineer, Structural Engineer, Mechanical Engineer, Electrical Engineer, Plumbing Engineer, Landscape Architect, Construction Superintendent, Scheduler and Quality Control Manager. Include one (1) professional reference with phone number for each key personnel.
  - 3.3.6 Section Four – Design-Build Project Experience. Demonstrate the technical experience and competence of the Respondent on up to five (5) most relevant projects of similar size using the Design-Build construction delivery method. Include project name, project description, owner, owner's contact person, address, phone number, email address, size of facility, LEED certification (if applicable), budget and date of completion. Identify participation of any of the proposed design consultants from Section 2 above on these projects.
  - 3.3.7 Section Five – Baseball Stadium Experience. Demonstrate your team's project experience on up to three (3) professional minor league baseball stadium projects that your team members have completed or upon which they are currently working. Include project name, project description, owner, owner's contact person, address, phone number, email address, size of stadium, project delivery method, budget, LEED certification (if applicable) and date of completion. Identify participation of any of the proposed design consultants from Section 2 above on these projects. List other types of baseball stadium projects if no experience on professional minor league stadiums.
  - 3.3.8 Section Six – Identify your approach to the Project, including compliance with the schedule delineated in paragraph 2.11. Identify your approach for managing and staying with the established budget. Give examples of how you met schedules and achieved budgets on previous Design-Build projects. Identify any concerns or exceptions that you currently have with the proposed budget or schedule.

**DESIGN-BUILD FIRM'S RESPONDENT QUESTIONNAIRE**

Respondents are required to submit a complete response to each requested item that follows. Responses requiring additional space should be incorporated into the submittal as an attachment with reference by item number as listed below. This information is to be limited to the Design-Build Firm only.

Design-Build Firm's Name: \_\_\_\_\_

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

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

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

Telephone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

State Comptroller Vender Identification Number: \_\_\_\_\_

or

F.E.I. Number: \_\_\_\_\_

**1. General**

1.1  Corporation  Partnership  Sole Proprietorship  Joint Venture

State of Organization: \_\_\_\_\_

1.2 In continuous business since: \_\_\_\_\_

Remarks (if required): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

1.3 List Corporate Officers, Partners or Owners of Organization; Title and years of construction experience:

Name	Title	Construction Experience
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

1.4 Location of the office from where this project will be staffed: \_\_\_\_\_

**2. Experience**

2.1 Percentage of work normally performed with Firm's own forces: \_\_\_\_\_%

(List Trades)\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2.2 Percentage to be performed with Firm's own forces on this project: \_\_\_\_\_%

(List Trades)\_\_\_\_\_

\_\_\_\_\_

2.3 Total number and dollar amount of contracts currently in progress:

Number\_\_\_\_\_ \$\_\_\_\_\_

2.4 Largest single contract amount currently in progress: \$\_\_\_\_\_

Project Name:\_\_\_\_\_

Projected Completion Date:\_\_\_\_\_

2.5 Volume of work complete over last 5 years: (Through 12/31)

2009 \$\_\_\_\_\_

2008 \$\_\_\_\_\_

2007 \$\_\_\_\_\_

2006 \$\_\_\_\_\_

2005 \$\_\_\_\_\_

2.6 List any pending claims and/or litigation you have asserted or filed against project owners at the time of this submittal. (Provide project name, Owner and summary explanation.)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2.7 Has your organization ever defaulted or failed to complete any work awarded?

Yes  No

If yes, stipulate where, when and why: \_\_\_\_\_

\_\_\_\_\_

2.8 Has your organization ever been assessed liquidated damages for failure to complete a contract on time?

Yes  No

If yes, stipulate for which project, where, when and why: \_\_\_\_\_

\_\_\_\_\_

2.9 What is the longest critical path delay your organization has successfully overcome? Please provide a short narrative on the cause of the delay, what was done to overcome it and what, if any, costs were associated with this delay?

**3. Safety Program**

3.1 List your organization's Workers Compensation Experience Modification Rating (EMR) for the last five years:

2009 \_\_\_\_\_

2008 \_\_\_\_\_

2007 \_\_\_\_\_

2006 \_\_\_\_\_

2005 \_\_\_\_\_

3.2 Complete matrix for the past five years, as obtained for OSHA No. 200 Log:

	2009	2008	2007	2006	2005
Number of injuries and illnesses	_____	_____	_____	_____	_____
Number of lost time accidents	_____	_____	_____	_____	_____
Number of recordable cases	_____	_____	_____	_____	_____
Number of fatalities	_____	_____	_____	_____	_____
Number of employee direct hire fixed hours worked. (Round to 1,000s)	_____	_____	_____	_____	_____

3.3 Are regular project safety meetings held for Field Supervisor(s)?  Yes  No

If yes, frequency:  Weekly  Bi-Monthly  Monthly  As Needed

3.4 Are project safety inspections conducted?  Yes  No

If yes, who performs inspection?

---

How often?

---

Who is required to attend?

---

3.5 Does the organization have a written safety program?  Yes  No

If yes, provide a copy. It will become a compliance document upon award.

3.6 Does your organization have a safety orientation program for new employees?  Yes  No

For employees promoted to Field Supervisor?  Yes  No

If yes, does your Supervisor Safety Program include instructions on the following:

	Yes	No
Safety work practices	<input type="checkbox"/>	<input type="checkbox"/>
Tool Box safety meetings	<input type="checkbox"/>	<input type="checkbox"/>
First aid procedures	<input type="checkbox"/>	<input type="checkbox"/>
Accident investigation	<input type="checkbox"/>	<input type="checkbox"/>
Fire protection	<input type="checkbox"/>	<input type="checkbox"/>
New worker's orientation	<input type="checkbox"/>	<input type="checkbox"/>

#### 4. **Quality Control Program**

4.1 Submit your design-build quality control program for this project which will become a compliance document upon award of Contract.

4.2 This plan should address all aspects of quality control including responsibility for supervision of design and construction work, your documentation and tracking process in relation to acceptance of design and/or construction work, as well as rejection and resolution of deficiencies and corrective action.

**5. Financial**

5.1 Include an audited Financial Statement for past two (2) years, including profit and loss statements and other supporting schedules in a separate sealed envelope which will be returned to Respondent in the event that he/she is not selected. If the last audited statement is over 12 months old, include the most current un-audited statement.

5.2 Surety Company:\_\_\_\_\_

Agent:\_\_\_\_\_

Name of Contact:\_\_\_\_\_ Telephone No.\_\_\_\_\_

5.3 Total Bonding Capacity:\_\_\_\_\_

\_\_\_\_\_

Limit per project:\_\_\_\_\_

Current unencumbered bonding capacity:\_\_\_\_\_

5.4 Is company currently in default on any loan agreement or financing agreement with any bank, financial institute, or other entity? If yes, specify dates, details, circumstances, and prospects for resolution.

Yes

No

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5.5 Bank Reference

Organization:\_\_\_\_\_

Agent:\_\_\_\_\_

Name of Contact:\_\_\_\_\_ Telephone No:\_\_\_\_\_

5.6 Is the company currently for sale or involved in any transaction to expand or to be acquired by another business entity? If yes, please explain the impact to organization and management efforts.

Yes

No

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**6. Major Construction Subcontractors**

6.1 Describe your process of selecting major subcontractors that will be utilized on this project.

**7. Provide a brief narrative addressing the Design-Build Contractor’s approach to and control of:**

7.1 Project Schedule

7.2 Project Budget

7.3 Cost Accounting

7.4 Document Control System

7.5 Difficulties or unique challenges that you anticipate in the design-build process for the Project. How does this team intend to manage and resolve these issues? What assistance will you require from the Owner?

7.6 Matters of design intent and interpretation presented in the bridging documents during the Design-Builder's process of preparing final construction documents

**Design-Build Contractor’s Certification of Information**

I hereby certify that all statements and information contained herein and in the statement of qualifications are true and correct.

Name of Organization: \_\_\_\_\_

By: \_\_\_\_\_

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

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

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

Subscribed and sworn to before me, the undersigned authority, on this the \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Notary Public in and for Fort Bend County, Texas