

QUESTIONS AND ANSWERS

Job Order Contract (JOC)

For

Facilities Modifications or Repair

October 16, 2009

To: All Prospective Respondents

From: Houston Community College, Procurement Operations

Subject: Informational Letter #1 – Request for Proposal (RFP) for Job Order Contract (JOC) for Facilities Modifications or Repair (#10-06) the following questions were received in Procurement Operations within the time period specified in the solicitation document:

Question #1:

Attachment 2, Price Proposal, note 2 states that the R.S. Means prices “are firm for the term of the contract, and will be replaced each contract term”. It also states that “the proposed coefficient factors shall be firm for the duration of the contract”. On Page 2 of the RFP the contract term is defined as being three years. Does that mean both the coefficient and the RS Means prices are fixed for the three years contract term or will HCC allow the contractor to use the latest edition available at the time of each job order is priced?

HCC Answer:

The coefficient factor stays firm for the duration of the contract. The R.S. Means prices may be updated annually.

Question #2:

Which column of the Facilities Construction Cost Data book is to be used, Total Bare cost or Total including Overhead and Profit?

HCC Answer:

Over Head and profit – far right side.

Question #3:

Are bond premiums to be included in the coefficient or reimbursed by HCC per job order?

HCC Answer:

Bond premiums are to be included in coefficients.

Question #4:

Attachment 7, Small Business Development Questionnaire, as a publicly traded company we can't answer the section about Company Majority Ownership as we don't have a break down by share owners ethnicity. Will HCC accept N/A answer?

HCC Answer:

Yes

Question #5:

Attachment 8, contractor and subcontractor participation form, at this time of bidding we will not have information to fill out the percentage of contract effort and the price since no delivery orders are known. Will HCC accept "To be determined" designation?

HCC Answer:

Yes

Question #6:

Last year, HCC said that the technical proposal and price proposal should be submitted separately. Is that still HCC's preference?

HCC Answer:

Yes

Question #7:

Section 26.1 of the draft contract requires that Exhibit A, Policy on the Utilization of Historically Underutilized Business ("Policy") be incorporated in the resulting contract by reference. Exhibit A in the RFP addresses pricing coefficients rather than HUB policy. Can you please provide this HUB policy document for bidder review?

HCC Answer:

HCC does not have a HUB program. HCC has a small business program and the policy is as follows:

Small Business Development

A. OVERVIEW

The Houston Community College System will provide better value in procurement efforts because it will foster competition and help avoid discrimination. It will increase procurement opportunities for small businesses, underutilized businesses and disadvantaged businesses. A "small business concern" (Small Business) under this Program is defined to be one that is independently owned and operated and which is not dominant in its field of operation and which meets size standard set forth in 13 CFR, Part 121.

The definition shall vary from industry to industry to the extent necessary to properly reflect industry differences. The Program will:

- (1) Provide a small business outreach program that will strive to increase procurement opportunities with small, disadvantaged and underutilized businesses.
- (2) Require that contractors make good faith efforts to utilize small business subcontractors; Subcontract requirements will vary per contract based on the type of industry and will not exceed 35%.
- (3) Provide technical assistance and design procurements that encourage the participation of small, underutilized and disadvantaged businesses.
- 4) Achieve an average small business participation goal of thirty-five percent (35%). The goal may vary from year to year and vary from industry to industry based on the type of goods and services procured.
- (5) Include effectiveness measurements and a semi-annual report to the Board of Trustees regarding small business participation, outreach activities and related key measurements of effectiveness.

HCCS shall not discriminate on the basis of race, color, national origin, religion, gender and disability in the selection of vendors and shall prohibit vendors from such discrimination in the selection of subcontractors and vendor's employees. HCCS may immediately terminate or disqualify from future contracts a contractor who engages in such discriminatory practices.

New procedures are currently being developed.

Question #8:

Instruction to Proposers, Paragraph 2, Proposal Submittal states "The envelope containing a proposal shall be addressed" with specific information about the proposer. By "envelope" does HCC mean any envelope or box containing all submitted volumes or does HCC desire one of the completed proposals to be submitted in a sealed envelope?

HCC Answer: Envelope or box containing all submitted volumes.

Question #9:

Will HCC's current job order contracts run concurrently with the new contract, or will the new contract replace the existing contracts?

HCC Answer:

New Contract(s) will be awarded.

Question #10:

Will HCC please provide the historical annual volume for its job order contracts?

HCC Answer:

4.5 – 5 Million

Question #11:

Does HCC intend to make a single award or multiple awards through this solicitation? If multiple awards are made, how will individual job orders be assigned?

HCC Answer:

The number of contracts awarded will be at the discretion of the HCC Board of Trustees.

Question #12:

Will HCC please provide the coefficients for the current job order contracts?

HCC Answer:

The coefficients range from 0.635 – 0.73.

Question #13:

Page 2 and page 12 of the RFP refer to the R.S. Means Facilities Construction Cost Data “for the Houston Region.” Please confirm that this means that the Houston City Cost Index is to be applied to each estimate.

HCC Answer:

Yes, the Houston City Cost Index is to be applied to each estimate.

Question #14:

Note 2 on the Price Proposal states that the R.S. Means prices “are firm for the term of the contract, and will be replaced each contract term.” On page 2, however, the contract term is defined as being three years. Elsewhere on pages 2 and 12, use of “the latest edition” of R.S. Means is referenced. Given the fact that this contract will potentially be awarded on the cusp of a new edition of R.S. Means being published, will HCC allow the contractor to use the latest edition available at the time each job order is awarded?

HCC Answer:

Please see answer #1.

Question #15:

Paragraph 18.3 of the Sample Job Order Contract states that “unit prices include direct material, labor and equipment cost, but not indirect costs or profit.” Does this mean that the contractor is to use the Total Bare Costs column of the Facilities Construction Cost Data book, instead of the Total Including Overhead and Profit column?

HCC Answer:

Overhead and profit, far right side.

Question #16:

The Price Proposal allows the Contractor to bid different coefficients for when the contract amount is \$0–\$2,000,000 and when the contract amount is greater than \$2,000,000. Is this contract amount to be calculated annually, or is it the total over all years of the contract?

HCC Answer:

The contract amount will be calculated annually.

Question #17:

On page 4, it is written that each proposer must complete and return the listed documents, “if appropriate.” Please clarify specifically if the proposer is required to complete Attachment No. 5, Determination of Good Faith, and Attachment No. 6, Small Business Unavailability Certificate, if the proposer completes Attachment No. 8, Contractor and Subcontractor Participation Form, with names of small business subcontractors that we intend to use to meet the small business participation goal of 35%.

HCC Answer:

Each proposer must state (in the technical proposal) a commitment to attain the 35% small business participation goal and give past history of small business participation. Once contract(s) have been awarded for work, the applicable small business forms will be required.

Question #18:

Please clarify what action the proposer should take regarding Attachment No. 17, Customer Quality Audit. Attachment No. 17 is not included in the list of documents on page 4 of the RFP.

HCC Answer:

Attachment No. 17, Customer Quality Audit will be required after contract award.

Question #19:

Per the instructions on Attachment No. 7, Small Business Development Questionnaire, the proposer must return the completed form and a copy of Attachment 8, Contractor and Subcontractor Participation Form, in a separate envelope. May the proposer include the separate sealed envelope containing Attachment No. 7 and a copy of Attachment No. 8 in the package with the rest of the proposal submission, or is the proposer required to ship it separately? If it must be shipped separately, will HCC please provide a street address (instead of a P.O. Box) that the proposer may use to send it via FedEx or UPS?

HCC Answer:

It may be included with the rest of the proposal submission.

Question #20:

Please clarify whether HCC would prefer to receive the Technical and Price proposals as separate volumes or as separate sections within the same volume (e.g., separated by a tab). Please also clarify if HCC has a preference regarding where in the proposal (i.e., with Technical or with Price) the required completed documents are placed.

HCC Answer:

The Technical and Price Proposals should be packaged as separate volumes, within the proposal packet.

Question #21:

Please confirm that no bid bond is required with the proposal submission.

HCC Answer:

No bid bond is required with the proposal submission.

Question #22:

How many job orders and what value have been issued under the current contract?

HCC Answer:

Please see question #10.

Question #23:

Is this a “rebid” or a “supplemental” RFP, meaning are the current contracts going to be replaced with or supplemented by this RFP?

HCC Answer:

This is a new procurement.

Question #24:

If this is a “rebid”, is it possible to share why HCC is choosing to rebid when options to renew are available?

HCC Answer:

The current contracts expire on December 31, 2009.

Question #25:

Has HCC been satisfied with Job Order Contracting under this current contract?

HCC Answer:

Yes

Question #26:

Have any of the projects you performed under the current contract been “design-build”, meaning the JOC contractors were responsible for doing the design component as well as construction?

HCC Answer:

Yes

Question #27:

On page 46 of the RFP it is unclear if the contract is going to be based on bare cost or cost with O/P. Please clarify. Thanks

18.3 The **Unit Price Guide** is a compilation of real property repair, rehabilitation, alteration, maintenance, and minor construction tasks, along with associated units of measure and unit prices designated or provided by Owner to be used in administration of this Contract. Unit prices include direct material, labor and equipment cost, but not indirect costs or profit. The Unit price Guide for this contract is (**insert**) which is hereby incorporated by reference.

The most current edition of the Unit Price Guide shall be adopted for each renewal option exercised by Owner, if any.

18.4 The **Coefficient Multiplier** is a numerical factor which is applied to the Unit Price Guide unit prices to cover all of the Contractor’s other costs in performing the Work of a Job Order including, but not limited to, general and administrative and other overhead costs, insurance costs, equipment rental, protective gear and clothing, contingencies such as changes in wage rates and inflation, Contractor’s profit, and indirect costs. Separate coefficients may be used for Work performed during normal working hours and for Work performed during non-normal working hours. The Coefficient Multipliers for this Contract are (See **Exhibit A**):

HCC Answer:

The unit price guide for this contract is RS Means Facilities Construction Cost Data. The most current edition should be used during the duration of the project/contract.

Question #28:

Can you provide the previous JOC coefficients from the previous JOC contract?

HCC Answer:

Please see answer #12.