ADDENDUM 2

DATE: December 7, 2016
PROJECT: JOC Contractors
RFP NO: 744-R1708 JOC Contractors
OWNER: The University of Texas Health Science Center at Houston
TO: Prospective Proposers

This Addendum forms part of and modifies Proposal Documents dated, November 16, 2016, with amendments and additions noted below.

1. Questions & Answers

QUESTION 1
We understand that UTHealth plans on making multiple awards. Please clarify if UTHealth intends on competing the JOC contractors on projects.

ANSWER 1
UTHealth intends to make multiple awards. Projects will be assigned to JOCs based on qualifications, past performance on other projects, current workload and specialization/expertise in scope of projects or facility type. It is not intended to be used to shop projects between JOCs.

QUESTION 2
If UTHealth is to make multiple awards, what is the expected revenue/value per single contract?

ANSWER 2
The contract(s) value is unknown at this time as each year is unique in its needs.

QUESTION 3
Who are the incumbents on the current JOC contract and what are their coefficients?

ANSWER 3
This information cannot be provided during the solicitation period.

QUESTION 4
Page 4 of 26, section 1, subsection 1.2 states “All information, documentation, and other materials submitted in response to this solicitation are considered non-confidential and/or non-proprietary”. The response to the information requested in the RFP, bidders will have to include confidential and proprietary information. We understand that all information is subject to freedom of information and Attorney General ruling, however, we request UT to modify this to allow bidders to mark the confidential parts of
the proposal as “confidential” which requires an Attorney General ruling to release to the public.

**ANSWER 4**

If an ‘Open Records Request’ is made after contract is awarded our Legal Affairs office will contact those vendors involved so any confidential information can be redacted before release.

**QUESTION 5**

Page 13 of 26, section 4, subsection 4.1, item 4.1.4 states, “Proposals and any other information submitted by respondents in response to this RFP shall become the property of the Owner” responses to this RFP will include confidential and proprietary information that can’t become the property the University. We request that this item be revised to exclude proposal parts marked as confidential.

**ANSWER 5**

If an ‘Open Records Request’ is made after contract is awarded our Legal Affairs office will contact those vendors involved so any confidential information can be redacted before release.

**QUESTION 6**

We understand that HUB plans are not required as part the response to this RFP. Please clarify

**ANSWER 6**

HUB plans are not required to bid this local contract but will be required for individual task order projects as needed for compliance.

**QUESTION 7**

We understand that HUB plan will only be required on task orders over $100K if the University determines that there are HUB subcontracting opportunities. Please clarify.

**ANSWER 7**

HUB plans are not required to bid this local contract but will be required for individual task order projects that exceed $100,000 in value.

**QUESTION 8**

It is our understanding that the existing prevailing wage rates at the time of bidding is the one to be used for the entire base period regardless if any published updates during the one year base period. At the beginning of each one year option period, the published wage rates will be used. However – this conflicts with Addendum #1, Exhibit B1 – Special Conditions, Item 1.14 Minimum Wage Requirements… “Contractors shall use the most recent Davis-Bacon minimum wage requirements for Harris County, Texas. Rates can be obtained at [http://www.gpo.gov/davisbacon](http://www.gpo.gov/davisbacon)” Also, Addendum #1 contains Attachment A which contains Prevailing Wage Rates for Houston/Galveston Area Dated June 30, 2015; which provision applies?
ANSWER 8
Contractors shall use the most recent Davis-Bacon minimum wage requirements for Harris County, Texas.

QUESTION 9
Please provide Exhibit C – Sample Job Order Contracting Agreement.

ANSWER 9
This document is posted on the UTHealth Bid Opportunities webpage.

QUESTION 10
How is the awarded JOC Contractor(s) to maintain a constant coefficient if labor costs will be changing/escalating.

ANSWER 10
The most recent version of RSMeans will be used for projects for the duration of the contract (2017 UPB for 2017 period, 2018 UPB for 2018 period, etc).

QUESTION 11
Please confirm that no bid bond is required with the submission of the JOC proposal.

ANSWER 11
Confirmed; bid bonds are not required to submit a proposal in response to this RFP.

QUESTION 12
Please confirm that, if offerors submit a Proprietary Information Statement to identify and protect select information that is considered confidential in accordance with the Texas Public Information Act (Texas Government Code, Chapter 552.001, et seq.), the Proprietary Information Statement will be excluded from the page limitations.

ANSWER 12
Confirmed.

QUESTION 13
Paragraph 1.5.1.1 on RFP p. 4 notes that eight identical copies of the proposal are required (along with the required electronic copy on CD). Please confirm that offerors may submit one original hard copy (with original signatures) plus seven additional hard copies to meet the requirements for a total of eight copies.

ANSWER 13
Confirmed.

QUESTION 14
Paragraphs 4.2.1 and 4.2.3 (RFP p. 13) note that proposals should be spiral bound together, separating each Criteria Response in Section 3 by tab. However, Paragraph
4.1.2.1 (RFP p. 13) notes that proposals should be submitted as separate documents. Please address the following:

a. Is it acceptable to submit the Criterion One documents (Section 6 – Pricing Proposal and Section 7 – Execution of Offer) in a sealed enveloped separate from the Criterion Two documents and without spiral binding (while the Criterion Two response is assembled with spiral-type binding)? Or does UTHealth prefer that Criterion One and Criterion Two be assembled together as one unit with spiral-type binding and separated by tabs?

b. Please confirm that offerors should submit eight copies each of Criterion One and Criterion Two. (We ask because sometimes owners prefer to receive fewer copies of the price proposals.)

ANSWER 14
a. Proposers can submit their Pricing Proposal in a sealed envelope separate from the Criterion Two documents and without spiral binding.

b. We don’t need eight copies of the pricing portion. You can submit just one copy of the Pricing Proposal.

QUESTION 15
It’s our understanding that no electronic copy of the proposal is required. Please confirm that this is correct.

ANSWER 15
Confirmed.

QUESTION 16
How many awards does UTHealth intend to make through this procurement?

ANSWER 16
It is our intent to award three (3) multi-year contracts.

QUESTION 17
Please clarify the annual maximum contract value this new contract. Is it limited to $1 million per year per contractor, as indicated in Paragraph 2.01 of the sample JOC Agreement (Exhibit C)? Or is there an annual maximum amount for the JOC program as a whole, to be shared among the three contractors?

ANSWER 17
The new annual maximum contract value is $3,000,000. This is per contractor; not a shared value.

QUESTION 18
Please indicate the total value of work awarded to date across all contractors that currently hold job order contracts with UTHealth.
ANSWER 18
This information cannot be provided during the solicitation period.

QUESTION 19
Please indicate the following for work accomplished through UTHealth’s current job order contracts to date:
• The approximate percentage of projects awarded with values less than $50,000
• The approximate percentage of projects awarded with values between $50,000 and $100,000
• The approximate percentage of projects awarded with values between $100,000 and $250,000

ANSWER 19
This information cannot be provided during the solicitation period.

QUESTION 20
How does UTHealth intend to award projects among the contractors holding job order contracts following this procurement? For example, does the type of work (e.g., work in wet labs) or project size (e.g., projects over $100,000) affect how projects are assigned among the contractors?

ANSWER 20
Projects will be assigned to JOCs based on qualifications, past performance on other projects, current workload and specialization/expertise in scope of projects or facility type. It is not intended to be used to shop projects between JOCs.

QUESTION 21
Please confirm that, in addition to the elements excluded per Paragraph 4.1.2 on RFP p. 12, the following elements also do not count against the 50-page limitation:
• Cover letter
• Resumes for key personnel

ANSWER 21
Confirmed.

QUESTION 22
Paragraph 4.1.2.1 on RFP p. 13 references the HUB Subcontracting Plan as a separate file for submission. However, it is our understanding (from Paragraph 1.14.1 on RFP p. 6) that no HUB Subcontracting Plan is required with submission of the JOC proposals. Please confirm that this is correct.

ANSWER 22
Confirmed; a HUB Subcontracting Plan is not required to submit a response to this RFP.
QUESTION 23  
Please clarify which page(s) of Exhibit C, sample JOC Agreement, constitutes the Agreement’s Exhibit A, Request for Proposal form.

ANSWER 23  
There is a mistake on this table of contents. Exhibit A, Request for Proposal form should be omitted.

QUESTION 24  
Please clarify which page(s) of Exhibit C, sample JOC Agreement, constitutes the Agreement’s Exhibit B, Project RFP Response form.

ANSWER 24  
Pages 15 and 16 of the sample agreement.

QUESTION 25  
Please clarify how UTHealth defines the content of a "Budget Estimate” referenced in Evaluation Questions #9 and #10 in Section 8, Respondent Questionnaire, and how UTHealth plans to use the budget estimate for projects issued through this contract.

ANSWER 25  
We find that it takes contractors time and effort to input projects into RS Means pricing per the contract. We use budget estimates to get a jump start on verifying whether the project scope is within the available budget. If it is outside the budget we can go back and reduce the scope (or cancel the project) without wasting the contractors time in putting it into RS Means.

QUESTION 26  
For what percentage of projects will UTHealth require the submission of budget estimates under this contract?

ANSWER 26  
This depends on the contractor turnaround for pricing in RSMeans and unique requirements on the project. This is unique to each year. A percentage cannot be anticipated.

QUESTION 27  
Please confirm that the submission of the “RSMeans Proposal” referenced in Evaluation Questions #9 and #10 in Section 8, Respondent Questionnaire, means the submission of the full project proposal, as described in Paragraph 3.05 of the JOC Agreement (Exhibit C).

ANSWER 27  
Confirmed.
QUESTION 28
Paragraph 17 of Section 7, Execution of Offer, states, “In addition to the Contractor’s affirmation, certification, and warranty under Article 10 of this Document, if any Agreement exceeds $50,000.00 in value Contractor shall provide a copy of its written Civil Rights ‘Affirmative Action Compliance Program’ which shall be incorporated into an Attachment to this Document…” Please address the following.

a) Please confirm that a copy of the offeror’s Affirmative Action Compliance Program is not required with the JOC proposal at this time, with the understanding that it may be required for individual JOC projects with values exceeding $50,000.

b) If a copy of the offeror’s Affirmative Action Compliance Program is required at this time, please confirm that it will be considered confidential company information and protected from public disclosure.

c) If a copy of the offeror’s Affirmative Action Compliance Program is required at this time, please confirm that it is excluded from the 50-page limitation.

ANSWER 28

a. Since this will be a multi-year contract which over life will exceed $50,000; please submit your Affirmative Action Compliance Program document with your RFP response; it will become part of your contract file.
b. If an ‘Open Records Request’ is made after contract is awarded our Legal Affairs office will contact those vendors involved so any confidential information can be redacted before release.
c. Confirmed.

QUESTION 29
Please clarify if the quarterly Houston City Cost Index is to be used for pricing projects. We believe that use of the quarterly CCI allows for greater pricing accuracy throughout the year.

ANSWER 29
The most recent RS Means pricing for our area can be used for the duration of the contract.

QUESTION 30
Would UTHealth consider allowing the UPB to be updated as soon as it is available in January of each year? This ensures that the most up-to-date pricing information is being used on line item estimates.

ANSWER 30
The most recent version of RS Means for our area can be used for pricing projects.

QUESTION 31
The sample contract has spaces for separate coefficients for each year of the contract. Please confirm that contractors are to bid only one Normal Hours and one Non-Normal Hours coefficient which will apply to the entire term of the contract.
ANSWER 31
That is correct. One for normal working hours, one for non-normal working hours.

QUESTION 32
Section 2.2 states that UT Health intends to award multiple JOC contracts. How many JOC contracts does UT Health intend to issue? Under what circumstances will the secondary JOC contractor be awarded projects in lieu of the Primary JOC contractor?

ANSWER 32
We plan to issue 3 contracts through this RFP. They will be used based on the following: qualifications, past performance on other projects, current workload and specialization in scope of projects.

QUESTION 33
Section 2.2, second paragraph states that there is no minimum value for each Task Order. The maximum value for each Task Order will be $250,000.00, pending approval. Fifth paragraph states that JOC contracts will not exceed $1,000,000.00 for new construction and $2,000,000.00 for renovations, and Orders may not be broken into smaller lots in a manner inconsistent with industry standard to circumvent this limitation. What is the current maximum dollar amount for individual jobs or “Task Orders” within a JOC contract? Is there, and if so, what is the current maximum dollar amount for a JOC contract?

ANSWER 33
The new maximum value for each Task Order is $300,000, pending approval. The new annual maximum contract value is $3,000,000 for Job Order Contracting Services for Interior Renovations and General Construction. This is per contractor; not a shared value.

QUESTION 34
How many years has UTHealth had a JOC Contract? Historically what has been the estimated average dollar amount of the individual jobs within a JOC Contract for each year? Historically what has been the estimated total dollar amount issued under the JOC Contract for each year? What was the estimated average dollar amount of the individual jobs within a JOC Contract for last year? What was the total dollar amount issued under the JOC Contract for last year? What is the anticipated annual volume to be awarded through the new JOC Contract?

ANSWER 34
The University has had JOC contractors for over 20 years. The other information cannot be provided during the solicitation period.

QUESTION 35
How many JOC contractors are under the current JOC Contract? What percentage of total work issued did the primary JOC contractor perform last year? What percentage of total work issued did the Secondary JOC contractor perform last year? Have all current JOC contractors renewed each year?
ANSWER 35
There are currently three (3) JOC Contractors. Two of the three contracts have reached their final expiration with no renewal options remaining; the third is being cancelled early so all three to be awarded will be on the same cycle. The other information cannot be provided during the solicitation period.

QUESTION 36
Could you provide examples of a "Non-Pre Priced item" that would be considered a necessary, but incidental, part of a job that is not susceptible to unit pricing?

ANSWER 36
Non pre-priced are specialty items that are not available in RS Means. These are typically proprietary systems or custom items. This can include fire alarm or security system parts, specialty signage, etc.

QUESTION 37
Paragraph "a." under "Non-Pre Priced item" (page 10 of 26) states that if items having essentially the same form, fit, and function as line items in the UPB the contractor may use the UPB line item price for the non-pre-priced item. The contractors proposal must note the substitution and have verifying documentation attached. Could you provide an example of verifying documentation? Would a sub-contractors quote be an example of verifying documentation?

ANSWER 37
Yes, a subcontractors quote with part numbers and quantity are considered verifying documentation.

QUESTION 38
Paragraph "b." under "Non-Pre Priced item" (page 10 of 26) states that if no line items in the UPB perform the same form, fit, and function then the contractor shall obtain three quotes for material and labor. If the line item is to be self-performed rates and time for the installation labor must be provided to the owner.

a. If self-performed please verify if three quotes must be obtained in addition to the self-perform quote?

b. If self-performed, how should these line items be shown? In unit prices? rates including labor and material? individual rates for both labor and material?

c. The owner will then adjust these prices, using documentation provide by the contractor, so that they provide the same relationship to actual costs as similar line items in the UPB. Can you provide an example of this scenario?

d. How will the owner evaluate these items and adjust them accordingly?

e. Non pre-priced markups are determine using RS Means. Please confirm if Non pre-priced items will or will not be multiplied by the contractor’s coefficient?

f. How will this markup be determine by using RS Means?
ANSWER 38
a. Additional quotes may be requested for non-prepriced self-performed work.
b. Yes, individual rates for both labor and material are required.
c. This is only used in regards to non-pre-priced items that are self-performed. This
would include such things as dropping a curtain at a sign unveiling. There would be the
pricing for the materials (curtain, actuator, frame, etc), then there would be pricing for
technical expertise and labor.
d. The owner will review the 3 proposals and evaluate pricing and scope. Then the
owner may opt to negotiate pricing with the contractor if it appears the pricing is not in
line.
e. They will NOT be multiplied by the coefficient.
f. This is incorrect for non prepriced items.

QUESTION 39
Will there be owner furnished drawings and specifications supplied for each
project? Should the contractor anticipate incurring any cost for architectural or
engineering services for any project?

ANSWER 39
Not all projects will have drawings. Some will consist of a walkthrough, or verbal and
written directions. This depends of the projects size and scope. The University has
campus contracts with A/E’s for project design. On occasion (for specific
projects/purposes) the JOC may be asked to provide a stamped drawing from a
subcontractor. An example would be for overhead protection.

QUESTION 40
If a project is submitted and accepted and a notice to proceed issued, then during or
after the procurement process is complete the project is cancelled will the contractor be
entitled for cost incurred for the work that was already completed?

ANSWER 40
Yes, if an NTP is issued and materials are ordered or costs incurred, the contractor is
entitled to restocking fees or incurred costs.

QUESTION 41
Will the R.S MEANS be updated each year at the contract extension? Will the current
edition (Year 2016) be used for all subsequent years of the JOC contract including
contract extensions?

ANSWER 41
The most recent version of RS Means can be used during subsequent years of the
contract.

QUESTION 42
Upon receiving notification of an individual JOC project by UTHealth what is the
anticipated/expected duration of the contractor for submitting their proposal?
ANSWER 42
This depends on the scope and complexity of the project. In most cases we expect returned proposals within 2 weeks.

QUESTION 43
Please clarify the following items that are to be included in the coefficient.

a. #6. Protection and/or moving of University Property- does this apply to any containment or barriers that may be required on a per job basis?

b. #8. Architectural and Engineering Services (preparation of as-builts)- will the extent of Architectural and Engineering Services be limited to preparation of as-builts?

c. What is the acceptable format for as-builts?

d. #11. Contractor's adjustment to the University's Unit Prices- Please clarify "University's Unit Prices".

e. #12. Clean-up (Daily and Final)- Please confirm that line items for clean-up (daily and final) will not be excepted and should be included in the coefficient.

f. #14. Permits, licenses, and Fees- Should contractor anticipate having to obtain any City of Houston permits for work at any campus under this JOC Contract?

g. #18. Signs and Barriers- Does this apply to any containment that may be required on a per job basis?

h. Are construction signs with project information required for each project?

i. #20. Quality Control and Testing- Does this apply to material testing labs? Does this apply to commissioning agents, will the contractor be required to carry the cost of hiring commissioning agents?

ANSWER 43
a. Yes
b. See response to question 39a
c. Please reference article 6.2.5 of the UGC. 1 reproducible copy and 1 electronic copy.
d. This would be unit prices as identified in the UPB
e. This should be included in the coefficient and not a line item on proposals.
f. Work performed in the University owned buildings will not require a COH permit. Occasionally work will be performed in a University lease space or on property not owned by the University which requires a COH permit.
g. Yes, this applies to typical construction signs required on containments such as hard hat area, construction area “do not enter”, etc.
h. Most projects require signage.
i. The university will hire 3rd party material testing labs independent of the JOC contract. If a commissioning agent is required, the university will cover that cost.
QUESTION 44
Please confirm that each project under the JOC Contract will be a "lump sum" contract?

ANSWER 44
Planned, walked, and priced JOC contracts will be a lump sum. Occasionally the JOC is asked to assist with emergency work on a time and material basis (natural disasters are an example).

QUESTION 45
In regards to self-performed work, will a minimum subcontractor participation or maximum self-performance percentage be required for each project under the JOC Contract?

ANSWER 45
No.

QUESTION 46
Addendum 1 (Exhibit B1 Special Conditions), item 1.14 says to use Davis-Bacon for minimum wage requirements. The actual attachment in Addendum 1 and the RFP 1.19 say to use The University of Texas System Office of Facilities Planning and Construction Wage Scale dated June 30, 2015. Please confirm UT OFPC wage scale will be the one utilized.

ANSWER 46
Contractors shall use the most recent Davis-Bacon minimum wage requirements for Harris County, Texas.

QUESTION 47
Item 2.2 d of the RFP states that the Unit Price Book for the base term of this Contract and all contract extensions is the current year of R.S. Means Facilities Construction Cost Date. Please clarify if 2017 of the UPB will be used for all extensions or if it will update each year (i.e. 2017 UPB for 2017 period, 2018 UPB for 2018 period, etc.).

ANSWER 47
The most recent version of RSMeans will be used for projects for the duration of the contract (2017 UPB for 2017 period, 2018 UPB for 2018 period, etc).

QUESTION 48
6.2 Coefficient Development lists Signs and Barriers as something to be included in the coefficient. Is this referring to temporary construction barriers and safety signage? Temporary construction barriers/infection control measures can vary widely depending on the specific task order and would think these items would be a cost of work type item and be allowed in the pre-priced development of the task order using the Unit Price Book. Please clarify your intentions of excluding Signs and Barriers from the job order quote.
ANSWER 48
Typical division 1 items should be in the coefficient (walk off mats, zip poly construction entrance, signage for construction area hard hats required, etc. are what is intended in the coefficient. We agree that above typical barriers and signage would be allowed to be priced.

QUESTION 49
6.2 Coefficient Development lists removal and hauling of trash, debris and rubbish as something to be included in the coefficient. Are actual dumpsters allowed to be included job order quote or are dumpsters supposed to be included in the coefficient?

ANSWER 49
Dumpsters can be included if there is a large amount of debris requiring a dumpster.

END OF ADDENDUM 2