



# RFP Milestones, Instructions, and Information

This Request for Proposal is being issued by the Lower Colorado River Authority (LCRA). LCRA is a conservation and reclamation district of the State of Texas created pursuant to Article XVI, Section 59, of the Texas Constitution.

## RFP 10687 – LCRA PARK MURAL

### MILESTONES

<b>DATES</b>	<b>MILESTONES</b>
09/01/2017	RFP Issued
09/08/2017 @ 11:00 AM CST	Pre-Bid Meeting at the jobsite ( <a href="#">Jessica Hollis Park directions</a> )
09/12/2017	Deadline for Questions
09/21/2017 At 2:30 PM CST	Proposal Deadline
09/29/2017	Anticipated Award Date

### INSTRUCTIONS

- Contact.** Questions regarding the RFP must be submitted via email ONLY to the LCRA Agent at [raul.esparza@lcra.org](mailto:raul.esparza@lcra.org) by the date indicated in the milestone block. LCRA shall attempt to answer inquiries concerning the RFP, but shall not be obligated to do so. **The LCRA Agent is the sole LCRA point of contact from RFP issuance until contract award.** Do not rely on information from any other source. **Contact with other LCRA personnel initiated by an Offeror may be grounds for disqualification** of its proposal at LCRA’s sole discretion.
- RFP Documents provided by LCRA.** The following documents are included as part of this RFP. Offeror shall follow instructions contained herein or in the document itself for completing and returning these documents to LCRA.

<b>Document</b>	<b>Location</b>
Statement of Work	Separate word file, included with this RFP
Terms and Conditions	Separate word file, included with this RFP
Attachment A	Final page of this document

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- 3. RFP Submission Requirements.** Offeror shall prepare its request for proposal on forms furnished by the LCRA or as otherwise specified herein. Incomplete proposal forms, schedules and information sheets may be grounds for disqualification. A proposal item which in the opinion of LCRA is not in exact compliance with the RFP, and which has not been modified or clarified may, at LCRA’s discretion, be considered an exception to the RFP or be rejected as a non-conforming offer. LCRA will not be responsible for any cost or expenses associated with the preparation or submittal of the Offeror’s proposal. **The following documents shall be returned to LCRA by the proposal deadline:**

Document	Submit files in corresponding format
Terms and Conditions ( <b>See Section 5 below</b> )	MS Word
Submittals, per the Statement of Work	Per SOW instructions
Signed Attachment A	PDF

- 4. Submission of Proposals.** PROPOSALS MUST BE RECEIVED ON THE DATE INDICATED IN THE MILESTONES BLOCK. Proposals will only be accepted via e-mail to [ebids@lcra.org](mailto:ebids@lcra.org) with a courtesy email to [Raul.Esparza@lcra.org](mailto:Raul.Esparza@lcra.org). Proposals received after the due date shall be considered late and may be rejected. You are solely responsible for ensuring that your complete RFP response is sent to and received by LCRA on or before the proposal deadline. LCRA takes no responsibility for proposals that are prevented from reaching the proper destination server by any LCRA anti-virus or other security software. Proposals will not be publicly opened. Proposals shall be considered valid legal offers for a period of one hundred-twenty days (120) days after proposal deadline.
- 5. Exceptions to Terms and Conditions.** Offerors shall submit exceptions to LCRA electronically in the Word Document accompanying the proposal with proposed alternative language (redlines). Exceptions will not be allowed after the RFP closing date and time. The amount and nature of exceptions may be grounds for disqualification. Should Offeror take no exception to the terms and conditions of the contract, Offeror shall return a signed Contract along with its proposal.
- 6. Organizational Chart.** Not Applicable
- 7. Review the documents noted below.** Not applicable
- 8. SUCCESSFUL OFFEROR MUST TAKE THE FOLLOWING ACTION WITHIN 7 DAYS FROM NOTICE OF INTENT TO AWARD:**

Requirement	Action
Signed Contract by authorized representative	Return to LCRA
Insurance Policies	Provide a copy of the insurance policies with endorsements to LCRA
Completed performance & payment bonds	Return to LCRA, if required
Vendor Registration	Complete vendor registration at: <a href="http://www.lcra.org/about/business-opportunities-with-lcra/Pages/lcra-supplier-accounts.aspx">http://www.lcra.org/about/business-opportunities-with-lcra/Pages/lcra-supplier-accounts.aspx</a>

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### INFORMATION

1. **Evaluation Criteria.** Lower Colorado River Authority will convene a three-person voting Selection Panel of LCRA management, design and parks professionals to evaluate the supplier's submissions.
  - a. Artistic merit and technical expertise
  - b. Demonstrated successful, innovative and effective approach to public art projects of a similar budget, scale and scope.
  - c. Ability to design in a context-sensitive manner
  - d. Ability to create artwork for the entrance station and restroom building within the stated budget and time frame.
  
2. **LCRA Reservation of Rights.** LCRA reserves the right to reject any and all proposals, and to waive irregularities or informalities in any proposal. LCRA may request additional written or oral information from Offerors to obtain clarifications with respect to their proposals. LCRA may award contracts from proposals without discussions, or may conduct discussions with one or more Offerors. LCRA reserves the right to delay the proposal opening, to evaluate alternate proposals and to make multiple and/or split awards from this RFP. If you take issue with the contents of a proposal, or a contract award decision as a result of this proposal, refer to LCRA Issue Resolution Procedures posted at <http://www.lcra.org/about/business-opportunities-with-lcra/Pages/default.aspx>. LCRA engages in business with only responsible Offerors with sound management, quality control, capacity, experience, financial resources, and ethics to perform its contract. LCRA reserves the right to employ a variety of means to determine the responsibility of potential Offerors, including evaluating its past experience with the Offeror.
  
3. **Conflict of Interest – Chapter 176 of the Texas Local Government Code.** Effective January 1, 2006, Chapter 176 of the Texas Local Government Code requires that any vendor or person considering doing business with a local government entity disclose in the Questionnaire Form CIQ, the vendor or person's affiliation or business relationship that might cause a conflict of interest with a local government entity. By law, this questionnaire must be filed with the records administrator of LCRA no later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code. A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor. For more information or to obtain Questionnaire CIQ, go to the Texas Ethics Commission Web page.
  
4. **Discussions with Offerors and Revisions to Proposals.** LCRA reserves the right to determine when and with whom to conduct discussions. Discussions with Offerors may include but not be limited to the purpose of clarification or to assure full understanding of, and responsiveness to, the RFP requirements. As a result of such discussions, revisions may be permitted after initial submissions and prior to award for the purpose of obtaining final pricing. In conducting discussions, LCRA shall not disclose to an Offeror any information derived from proposals submitted by competing Offerors. The purpose of such discussions may include: further understanding of Offeror's qualifications, scope, schedule, proposed project approach, experience and availability of personnel and facilities, proposed compensation and opportunities for savings and additional detail of Offeror's cost proposal.
  
5. **Revisions to RFP.** Nothing in the instructions shall limit LCRA's right to revise the RFP.
  
6. **Pricing.** Offeror shall submit a price for each item on the basis indicated in the proposal form. All pricing must be submitted in US Dollars. In case of conflict between unit prices and extensions, unit prices shall govern. In case of conflict between words and numerals, words shall govern. Proposal prices shall not include sales, excise, and use taxes on installed equipment and materials. LCRA is exempt from such taxes under the Texas Tax Code § 151.309. An exemption certificate shall be furnished to Offeror, subcontractors and Offerors upon request. It is the Offeror's responsibility to determine if Offeror may have sales tax liability for materials and supplies used for the project, but for which Offeror is considered



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the consumer. To obtain possible tax benefits by the separation of materials and labor, Offerors should be familiar with the Comptroller's Rules 3.291 (Contractors), 3.292 (Repairmen), and 3.347 (Improvements to Realty), which may be obtained from the Texas Comptroller of Public Accounts.

7. **Estimates of Quantities (Unit Price Contracts Only)** – Not Applicable
8. **Substitutions or “Of-Equal” Items.** Not Applicable
9. **Confidential Information.** The LCRA is subject to the Texas Public Information Act, Texas Government Code Chapter 552. Any information submitted to the LCRA by an Offeror shall be available to the public unless it is clearly marked "CONFIDENTIAL". If another party requests access to information marked confidential, then LCRA shall ask the Offeror if the information may be released. If the Offeror denies the release of the information, LCRA shall refer the matter to the Texas Attorney General's Office where the Offeror shall be responsible for substantiating the confidentiality of its information. The Attorney General's ruling on the matter shall be conclusive.

By submitting a proposal, the Offeror certifies that in connection with this procurement: (a) the Offeror has arrived at the prices in its proposal without consultation, communication or agreement with any other respondent or with any competitor for the purpose of restricting competition, (b) the prices quoted in the proposal have not been knowingly disclosed, directly or indirectly, by the Offeror or any agent of the Offeror, to any other respondent or to any competitor, and (c) no attempt has been made or will be made by the Offeror or by any agent of the Offeror to induce any other person or firm to submit or not submit a proposal for the purpose of restricting competition.

10. **Award and Execution of Contract.** LCRA shall evaluate the proposals in accordance with the RFP requirements. The contract will be awarded to the best evaluated Offeror. Contracts shall be neither considered awarded nor binding until such time that both parties have executed the Contract. LCRA shall not be liable for any delays prior to the award or execution of Contract.



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## ATTACHMENT A

The undersigned Offeror declares: (a) that it has reviewed the Terms and Conditions, Scope of Work, and all other documents herein; (b) that the signatory has the authority to bind the company to the formal legal offer; (c) that through its authorized personnel it has personally examined the location of the proposed work and has determined the amount and character of the proposed work and the supervision, labor, tools, material as identified, and equipment necessary to complete the same in compliance with the specification and contract documents (if applicable); (d) that prior to the submission of this proposal, and prior to the award of any contract resulting from this proposal, neither the Offeror, nor any of its subcontractors, nor their agents, nor employees have or will: (1) offer or give gratuities to an LCRA employ or affiliate, (2) pay a kickback to obtain favorable treatment in connection with an LCRA contract, (3) “buy-in” to obtain a contract with LCRA, (4) participate in practices which unlawfully eliminate competition or restrain trade such as collusive bidding or negotiating, follow the leader pricing, rotation of low bids, collusive price estimating, or sharing of business with other Offerors, and (5) commit bribery to obtain favorable treatment by LCRA or any affiliates; (e) that either (1) no delinquent corporate franchise taxes are owed the State of Texas under Chapter 171, Tax Code or (2) the Offeror is not subject to the corporate franchise tax in Texas; and (f) that it has never been debarred or suspended from doing business with the federal government.

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

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

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

Signature: \_\_\_\_\_

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