

INVITATION FOR BIDS
FOR
CONSTRUCTION OF THE CREEKSIDE POOL RENOVATION/ADDITION
FOR



Response Deadline

June 27, 2016

10:00 a.m. Central Standard Time (CST)

To:
Nora Dinsmore
Brushy Creek MUD

16318 Great Oaks Drive
Round Rock, TX 78681

n.dinsmore@bcmud.org

BRUSHY CREEK MUNICIPAL UTILITY DISTRICT

INVITATION FOR BIDS FOR CONSTRUCTION OF CREEKSIDE POOL RENOVATION/ADDITION

1. INTRODUCTION

Brushy Creek Municipal Utility District (the "District") is accepting bids from qualified Contractors to provide the construction for the Creekside Pool Renovation/Addition, located at 4300 Brushy Creek Rd, Round Rock, TX 78681. The project construction documents were created and provided by Architectural Edge Inc., (the "Architect"), and are available upon request by contacting the District. E-mail n.dinsmore@bcmud.org or by phone at 512-255-7871, ext. 407.

The District reserves the right to reject any or all bids, to waive technical or legal deficiencies, and to accept any Bid Response that may deem to be in the best interest of the District.

2. SCOPE OF SERVICES

2.1 General

The District's Board of Directors has approved the Architect's project construction plan and specifications for the Creekside Pool Renovation/Addition. Staff is seeking bids from qualified Contractors to provide the complete construction of the Creekside Pool Renovation/Addition. The Contractor is to provide all labor, equipment and process machinery required for the proper construction of the Work as listed in accordance with the project construction documents, specifications and construction permit.

2.2 Project Data

Project Description:	New Construction/Renovation
Construction Type:	Type III B – Unprotected Unsprinklered
Total Square Footage:	Guard Shack: 412 SF Restrooms: 700SF

3. GENERAL INSTRUCTIONS TO BIDDER:

3.1 General Instructions to Bidder:

1. Acceptance Period: Unless otherwise specified herein, Bid Responses are firm for a period of 90-days.
2. Authorized Signatures: Every bid must be signed by the person or persons legally authorized to bind the Contractor to a contract for the execution of the services. The name, address and telephone number of the Contractor must also be specified.
3. Award of Bid: Award will be made to the Contractor offering the most advantageous bid after consideration of all evaluation criteria set forth within. The criteria are not listed in any order of preferences. The District will evaluate all bids received in accordance with the evaluation criteria. The District shall not be obligated to accept the lowest priced bid, but will make an award that is most advantageous to the District after all factors have been evaluated.
4. Cancellation of Solicitation: The District may cancel this solicitation at any time.

5. Compliance with Laws: All bids shall comply with current federal, state, and other laws relative thereto.

Furthermore, 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.

6. Documents to be returned with the Bid: Failure to completely execute and submit required documents before the Submittal Deadline may render a Bid Response non-responsive. The documents that must be returned by the Submittal Deadline are listed in Section 4.2: Items to be Provided with Bid Responses.

7. Prices: All Bids shall give the price proposed, both in writing and in figures, shall give all other information requested herein, and shall be signed by the Contractor's authorized representative. Bid prices shall include everything necessary for the completion and fulfillment of the Work, including insurance, bonds and equipment warranty.

8. Location of Work Site: The pool address is 4300 Brushy Creek Rd, west of the intersection of Great Oaks Drive and Brushy Creek Road.

Included with the bid package, upon request, is a set of construction plans that show the project location.

3.2 Specifications

Specifications and all other Bid Documents are available to Contractors upon request. Please contact Nora Dinsmore, Administrative Services Specialist, at n.dinsmore@bcmud.org or by phone at 512-255-7871, ext. 407.

Contractors shall be responsible for providing the equipment and installation that meets or exceeds all of the requirements as set forth in the specifications.

4. PROCEDURAL INSTRUCTIONS

4.1. Intent

This procurement is intended to result in the selection of a Contractor that is most advantageous to the District. The Bid Response should be presented in a format that corresponds to, and references, the sections outlined in the Section 4.2 below. Responses to each section and subsection should be labeled to indicate which item is being addressed. Bids should be straightforward and concise. Emphasis should be concentrated on conforming to the Invitation to Bid instructions, responding to the bid requirements, and on providing a complete and clear description of the offer.

The District is not liable for any costs incurred by Contractors before entering into a formal agreement. Costs of developing the bids and any other such expenses incurred by the Contractor in responding to the Invitation to Bid are entirely the responsibility of the Contractor and shall not be reimbursed in any manner by the District.

4.2. Items to be Provided with Bid Responses:

All bids must include the following information; failure to completely execute and submit the required documents before the Submittal Deadline may render a Bid Response non-responsive:

1. Company Overview - Contractor shall provide company summary of qualifications and contact information, company overview including Company ownership, length of time in business, qualifications, office location(s), number of employees, and key staff assigned to this project if awarded.
2. Pricing Spreadsheet & Bid Price Page - Contractor shall complete and submit the detailed pricing spreadsheet provided or create Contractor's own detailed pricing spreadsheet for the construction of the Work according to the specifications. Contractor shall also complete the Project Bid Page. Please make this Page #1 when submitting your bid response.
3. Warranty Information – All Work shall be subject to the warranty terms set forth in the Construction Contract.
4. Project References - Contractor shall complete and submit the detailed reference spreadsheet as set forth in **Exhibit B**. Contractor must identify three (3) references, including the name, title, daytime telephone number of the references, and project description, with starting and end dates.
5. Conflict of Interest Statement – Contractor shall submit their responses to the Conflict of Interest Statement in Section 5.0.
6. Questionnaire and Information Form - The Questionnaire form set forth as **Exhibit C** must be completed in its entirety.
7. Completed and signed W-9 Tax Form.
8. Work Plan/Timeline - Contractor shall submit a detailed narrative project work plan and detailed timeline outlining the project plans and the timeline of each step; including target completion date.

The report shall also include a proposed detailed work plan for Alternatives 1 and 2, with information regarding product type, materials used for prepping, re-surfacing existing pool deck and also metal roof, etc.

The pool closes for the season by end of August 2016, the work plan must include a method for securing the site during construction.

9. Experience - Contractor must identify at least two examples of similar work to that which is requested that the Contractor is currently performing or has performed within the past 24 months.
10. Signed Forms and Other Required Documentation - Contractor shall provide all signed, notarized, and other documentation as required in the Project Manual and Specifications document.
11. Payment Bond and Liability Insurance Information – Contractor shall furnish evidence of insurance that meets or exceeds the requirements set forth in the Construction Contract, see **Exhibit A**.
12. Performance Bond Information – see **Exhibit A**.
13. Deposit or Bid Bond - Contractor must submit a certified or cashier's check on a responsible bank in the state equal to at least two percent of the total amount of the bid, or a bid bond of at least two percent of the total amount of the bid issued by a surety legally authorized to do business in this state, as a good faith deposit to ensure execution of the contract.

4.3 Questions

The previous questions and answers that were posted for this RFP will be posted on the Website.

Questions regarding this project must be in writing via e-mail to n.dinsmore@bcmud.org no later than **10:00 AM (CST)** June 17, 2016. The subject line shall read: ***“Questions for Creekside Pool Renovation/Addition Bid Invitation”***. Answers, if any, made by the District will be sent in writing to all know Bid Responders and will be published on our website as an Addendum. (www.bcmud.org)

4.4. Timeline

Invitation to Bid published on District website:
May 13, 2016

Bid Advertisement in the Round Rock Leader
May 19 & 26, 2016

Non – Mandatory Site Visit at Creekside Pool
10:00 a.m. June 8, 2016

Questions Due from Contractors By:
10:00 a.m. June 17, 2016

Bid Response due from Contractors and Public Bid Opening:
10:00 a.m. June 27, 2016

Staff Recommendation to Board of Directors:
July 14, 2016

Estimated Notice to Proceed & Completion Date:
September 2016 – November 2016

4.5. Contractor Bid Response

Prospective Contractors must provide contact information or risk being disqualified from bidding. Bid Responses must conform to the requirements set forth herein. Sealed Bid Responses and required information must be submitted in writing either by postal service mail or by hand delivery to the attention of:

Nora Dinsmore, Administrative Services Specialist
Brushy Creek Municipal Utility District
16318 Great Oaks Drive
Round Rock, TX 78681
n.dinsmore@bcmud.org

by **10:00 AM (CST) on June 27, 2016**. Any Bid Responses received after the above date and time will not be considered. No oral Bid Response information or modifications will be accepted. All Bid Responses shall be signed and dated by an official authorized to bind the Contractor in legal matters. All submitted Bid Responses become the property of the District.

4.6. Selection Process

All Bid Responses will be evaluated by District staff. Staff recommendations will be submitted to the Board of Directors for consideration at a regularly scheduled meeting following the Bid Response deadline. The District shall award the contract based on a determination by its Board of Directors as to

what bid is most advantageous to the District. Criteria used to make the selection will include cost, construction process, timeline, qualifications, and references. If the District has experience with your firm and you do not list the District as a reference, the District reserves the right to use past experience for this Bid.

The successful bidder will be expected to execute the District's standard agreement (included in these bid documents) and all other qualifications as described in these bid documents. Contractors and subcontractors shall pay to laborers, workmen, and mechanics the prevailing wage rate as determined by the District. The Williamson County section has the applicable prevailing wages. You may visit <http://www.wdol.gov/wdol/scafiles/davisbacon/tx.html>.

4.7 Rejection of Bid Responses

The District reserves the right to reject any or all Bid Responses, or any part of a Bid Response.

4.8 Confidential Information

The District is subject to the Texas Public Information Act. Any information submitted to the District by a Contractor shall be available to the public, unless it is clearly marked "CONFIDENTIAL". If another party requests access to information marked confidential, then the District shall ask the Contractor if the information may be released. If the release is agreed to, the District shall release the information. If the release is denied, the matter shall be referred to the Texas Attorney General's Office where the Contractor shall be responsible for substantiating its confidentiality. The Attorney General's office shall rule on the matter. Pricing information contained in Bid Responses or contracts is not considered confidential under the PIA and will be disclosed without making a request to the Texas Attorney General.

4.9 Taxes, Exempt

The District is exempt from Federal Excise and State Sales Tax.

4.10 Standard Agreement

The form of the Construction Contract to be entered into regarding the Creekside Pool Renovation/Addition is a part of this request. Upon selection of a Contractor by the Board of Directors, the Contractor must execute the contract. Failure to do so may constitute cause for the District to enter into a contract with another Contractor.

5.0 CONFLICT OF INTEREST

The Board of Directors of Brushy Creek Municipal Utility District (the "District"), in compliance with Section 49.199 of the Texas Water Code, has adopted a Code of Ethics Policy. In accordance with this policy, please disclose the following information:

1. Whether or not any of the Board of Directors or Management Staff listed below has a substantial interest in the Contractor or its affiliates.
2. Whether or not any of the Board of Directors or Management Staff listed below has a direct or indirect contractual relationship with the Contractor or its affiliates.

2016
Board of Directors
Brushy Creek Municipal Utility District

- Rebecca Tullos, Board President
- Russ Shermer, Board Vice-President
- Shean Dalton, Treasurer
- Kim Filiatrault, Secretary
- Donna B. Parker, Assistant Secretary/Treasurer

District Staff

- Mike Petter, General Manager
- David Gaines, Chief Administrative Officer
- Rachel Hagan, Parks and Facilities Maintenance Coordinator
- Nora Dinsmore, Administrative Services Specialist