



PORT AUTHORITY OF SAN ANTONIO  
REQUEST FOR PROPOSAL

**COMMISSIONING AGENT SERVICES PROJECT**

Response Submittal Deadline: March 12, 2020  
4:00 PM CST

## SECTION 1 – Request for Proposals

### **PURPOSE**

Port San Antonio (“The Port”) is soliciting Requests for Proposals (RFP) under both the Texas Professional Services Procurement Act “TPSPA”, and Texas Government Code Chapter 2254 and Texas Government Code Chapter 2269, to qualify firms for the selection of a provider that can: provide commissioning services for Port San Antonio new building construction, tenant improvements, and retro-commissioning of existing buildings. Building types include office buildings, warehouses, industrial facilities, educational facilities, event venues, and critical facilities.

This will be a “**one-step**” procurement pursuant to Texas Government Code Chapter 2269, Sections 2269.253 and 2269.254. It is the sole initial intent of this RFP to determine only the most qualified firm with the most cost-effective proposal to perform commissioning services.

### **1.1 General Instructions**

#### **Request for Proposal for Commissioning Services.**

Port San Antonio (“The Port”) is redeveloping the former Kelly Air Force Base to its highest and best use, creating the conditions that maintain and grow quality jobs. The 1,900-acre site consists of an industrial airport, railport and mixed use-development. The Port is home to over 80 private and public organizations and 12,000 workers centered in the aerospace, logistics, manufacturing, government/military and other key industries. The Port has almost 8 million square feet of leased facilities that include hangars, workshops, warehouses, offices, educational/training centers and workforce housing. Future development areas include 360 acres of build-to-suit sites with access to Kelly Field, the Port’s industrial airport featuring the region’s longest runway, and over 150 acres for build-to-suit rail-served sites at East Kelly Railport, with access to Union Pacific and BNSF Railway trains supporting logistics and manufacturing operations.

The Port Authority of San Antonio (“Authority” and “Owner”) is requesting responses from qualified professionals to provide commissioning services.

The awarded firm/team may be required to coordinate with the Authority and/or its consultants for all project related activities during the various assignments associated with this contract.

**Responses to this RFP must be received by the Authority, Attn: Ashley Ramirez, no later than 4:00 PM CST, March 12, 2020. Any Response received after this time shall not be considered and will not be opened. The mailing address is as follows:**

**Attn: Ashley Ramirez, Contracting Manager  
Commissioning Agent  
The Port Authority of San Antonio  
907 Billy Mitchell Blvd., Suite 110  
San Antonio, TX 78226-1802**

The RFP response forms are represented herein the RFP and the attachments, which are to be completed and returned as part of responses. Where applicable, please use the enclosed current forms and organize the responses to this RFP in the order in which the forms are presented herein. Please submit one (1) original and six (6) copies of the RFP response, and identify each as an original or copy accordingly. Responses sent to the Authority are subject to disclosure pursuant to the Open Records Act, Government Code, Chapter 552. All timely responses become the property of the Authority upon receipt and shall not be returned. Any information deemed to be confidential by Respondent should be clearly noted on the page(s) where the confidential information is contained. The Authority, however, cannot guarantee that it will not be compelled to disclose all or part of any public record under the Texas Public Information Act, since information deemed to be confidential by the Respondent may not be considered confidential under Texas law, or pursuant to a Court Order. The materials submitted must be enclosed in a sealed envelope box or container; the package must show clearly the submittal deadline; and the name and the return address of the Respondent must be clearly visible.

Respondents submitting qualifying responses, including their agents and representatives, shall not lobby or contact any member of the Authority Board of Directors or Authority Staff except in the course of the Authority-sponsored inquiries, briefing, interviews and presentations between the qualification statement submission date and award by the Authority Board of Directors. Questions regarding this solicitation will be directed, in writing only, to the Contracting Department, and may be submitted by email to: contractinginfo@portsanantonio.us; or by Fax to: (210) 362-7832. Include the title of this RFP Security Patrol Services. Verbal questions are not permitted other than during Authority-sponsored inquiries, briefings, interviews and presentations. Any violation of this provision may result in disqualification of the submitting firm.

Entities submitting qualifying responses shall execute by signature the attached Affidavit of Non-Collusion, Non-Conflict of Interest, and Anti-Lobbying and return the signed affidavit with their response.

The Authority reserves the rights to contact any Respondent for clarification after responses are open.

The selected Firm/Team will be required to execute a standard Authority professional services agreement.

The selected Firm/Team shall carry insurance in the types and amounts specified by the Authority for the duration of the Agreement, and furnish certificates of insurance along with copies of policy declaration pages and policy endorsements as evidence thereof.

Respondent understands and agrees that this RFP is issued predicated on anticipated requirements for the Security Patrol Services, and that the Authority has made no representation, written or oral, that any such requirements be furnished under a Contract arising from this RFP. Furthermore, Respondent recognizes and understands that any cost borne by the Respondent which arises from Respondent's performance hereunder shall be at the sole risk and responsibility of Respondent.

**Questions concerning the projects included in this RFP are to be submitted in writing no later than 5:00PM CST March 2, 2020.**

## **Section 2. Scope of Work**

**2.1** Perform commissioning services for Port San Antonio new building construction, tenant improvements, and retro-commissioning of existing buildings. Building types include office buildings, warehouses, industrial facilities, educational facilities, event venues, and critical facilities.

Services will include:

- Assist Port San Antonio with developing the Owner's Project Requirements (OPR). The OPR will include, but not be limited to: energy efficiency, indoor environment, Port San Antonio staffing training, and operation and maintenance.
- Work with the building design team to review the Basis of Design (BOD) to identify the conceptual basis or systems selections; integration; and sequence of operations, focusing on design features critical to overall building performance as articulated in the OPR.
- In conjunction with the Design and Construction Teams, develop the Commissioning Plan (CxP). The CxP will identify the scope of the commissioning activities along with responsibilities, schedules and procedures.
- Assist the Design Team with developing the Commissioning Specifications, in order to articulate the commissioning process and contractor responsibilities to the Construction Team. Each commissioned system will have a commissioning specification section.
- In conjunction with the Design and Construction Teams, review products and systems submittals for compliance with the OPR. Special attention should be given to specificity, substitutions, and proposed deviations from the contract documents and BOD documentation. Work with Construction Team sub-contractors to develop checklists for quality and completeness.
- Develop and provide Test Data Reports to document the results of the testing and inspection. Test Data Reports include inspection/observation reports, functional and performance test (FPT) reports, performance testing, and other test results specified for the commissioned systems.
- Develop and maintain Commissioning Issues and Resolution Logs, containing a detailed description of each issue; date identified; the party identifying each issue; the party responsible for corrections; and final resolution of each issue.
- Develop and assemble Building Systems Manuals for each building commissioned. These manuals will include equipment operations manuals, construction submittals, as-built drawings, equipment specifications, certifications, training documents, and commissioning documents. Building Systems Manuals will be organized for ease of access and use by building management staff.

- Develop training documentation and conduct training on commissioned systems, building features, and equipment for Port San Antonio building operations and maintenance staff.

Develop and present a Final Commissioning Report to Port San Antonio. The report will detail the commissioning requirements, process, documentation, and findings. The Final Commissioning Report will include a narrative of the commissioning process, the design intent document, design review comments and resolution, meeting minutes from all commissioning-related meetings, corrective action reports, blank verification test reports for future use, completed training forms, completed system readiness checklists, and tests and inspection reports for commissioned systems, equipment, assemblies, and building features.

### **Section 3 - Notice to Respondents**

**Authority is accepting proposals from qualified firms/teams in accordance with the terms, conditions and requirements set forth in this Request for Proposal ("RFP"). This RFP provides sufficient information for interested parties to prepare and submit responses for consideration by the Authority. All provisions in Respondent's qualifications statement, shall remain valid for ninety (90) days following the deadline for submissions or, if a response is accepted, throughout the entire term of the contract.**

**RESPONDENTS ARE CAUTIONED TO READ THE INFORMATION CONTAINED IN THIS RFP CAREFULLY AND TO SUBMIT A COMPLETE RESPONSE TO ALL REQUIREMENTS AND QUESTIONS AS DIRECTED.**

### **Section 4 – Commitment**

**Respondent understands and agrees that this RFP is issued predicated on anticipated requirements for the Security Patrol Services, and that the Authority has made no representation, written or oral, that any such requirements be furnished under a Contract arising from this RFP. Furthermore, Respondent recognizes and understands that any cost borne by the Respondent which arises from Respondent's performance hereunder shall be at the sole risk and responsibility of Respondent.**

### **Section 5 – Selection Criteria**

#### **5.1 Selection Criteria**

The Authority will conduct a comprehensive, fair and impartial evaluation of all responses received in response to this RFP. Responses will be evaluated by the appropriate Authority staff for the purpose of seeking the proposal that provides the best overall value to the Authority. The criteria for evaluation of responses, and selection of the qualified respondent(s), will be based on the factors listed below. If the Authority elects to conduct interviews, Respondents may be interviewed and re-scored based upon these same criteria. The Authority may also request additional information from Respondents at any time prior to final approval of a selected Respondent. Respondents are requested to submit a complete response to each of the following Criteria. Responses requiring additional space should be brief and submitted as an attachment to your submittal package. Please reference

each response by its corresponding item number. *Authority reserves the right to select one or more, or none of the Respondents to provide the services. Final approval of a selected Respondent is subject to the action of the Port Authority's Board of Directors.*

**Note: Please divide your proposal into the following sections.**

**No. 1 - CRITERION: Qualifications and Experience (maximum points – 30)**

Provide documentation that the Commissioning Agent has the staffing and expertise to effectively commission building systems that include (but are not limited to):

- Building envelopes
- Heating Ventilating, and Air Conditioning (HVAC) systems to include data center cooling systems
- Plumbing systems to include water softening and irrigation systems
- Electrical systems to include switchgear, lighting and lighting control systems, generators, and Uninterruptable Power Supply (UPS) systems
- Elevators and other vertical conveyance systems
- Fire detection and suppression systems
- Life safety systems

**No. 2 - CRITERION: Past Projects (maximum points – 30)**

Provide documentation that the Commissioning Agent has, over the past ten (10) years, conducted construction-phase; post-construction; and retro-commissioning of the types of buildings currently or potentially in Port San Antonio's portfolio. This includes, but is not limited to, Building types include office buildings; warehouses; industrial facilities; educational facilities; event venues; and critical facilities.

**No. 3 - CRITERION: Fee Structure (maximum points – 20)**

Provide documentation of the Commissioning Agent's fee structure for the types of services detailed in the Statement of Work.

**No. 4 - CRITERION: Safety (maximum points – 10)**

- Provide a copy of the Commissioning Agent's safety program.
- Provide a copy of the Commissioning Agent's safety plan for a project within the last three (3) years.
- Provide the Commissioning Agent's Recordable Incident Rate (RIR) for each of the past three (3) calendar years.

**No. 5 - CRITERION: Approach to obtaining SMWBE Participation (maximum points – 10)**

- a. It is the policy of the Authority to involve qualified small business and local business enterprises to the fullest extent possible.

- b. Only companies certified as SBE, MBE, WBE, AABE or DBE through a State Authorized Certification Agency or the South Central Texas Regional Certification Agency (SCTRCA) or other approved agency (State of Texas HUB Certification etc.) can be applied toward the contracting goals. Proof of certification must be submitted utilizing, in part or in whole, an SBE, MBE, AABE, WBE or DBE firm to receive any points under this criteria. If not certified, please call the SCTRCA at (210) 227-4722.
  
- c. **The Respondent should describe the method of obtaining SMWBE participation in this project. Examples should be provided of past uses of this approach.**

## **ATTACHMENT 1 - AFFIDAVIT**

Entities submitting qualification statements, including their agents and representatives, shall not lobby or contact any member of the Authority Board of Directors or Authority Staff except in the course of the Authority-sponsored inquiries, briefings, interviews and presentations between the qualification statement submission date and award by the Authority Board of Directors. Any violation of this provision may result in disqualification of the submitting firm. Entities submitting qualification statements shall execute by signature the attached Affidavit of Non-Collusion, Non-Conflict of Interest, and Anti-Lobbying and return the signed affidavit with their response. The Affidavit form follows:

**ENTITY'S AFFIDAVIT OF NON-COLLUSION,  
NON-CONFLICT OF INTEREST, AND ANTI-LOBBYING  
FOR  
Commissioning Agent Services**

- (1) Neither I nor any of my officers, partners, owners, agents, representatives, employees, or parties in interest, have in any way colluded, conspired, or agreed, directly or indirectly, with any person, firm, corporation or other entity submitting a qualification statement on this project or potential participant in this procurement action in regard to the terms or conditions of this qualification statement. I have not paid or agreed to pay, directly or indirectly any person, firm, corporation or other entity submitting a qualification statement on this project or potential participant in this procurement action, any money or anything of value in return for assistance in obtaining or attempting to obtain the contract anticipated to result from this procurement action. I will not pay any money or anything of value in the future for that purpose.
- (2) None of the deciding factors set forth in the Request for Proposals (RFP) or in the subsequent agreement were my idea or the idea of anyone representing my company, unless the suggestion was made at a public meeting.
- (3) No officer or stockholder of my company is an employee of the Authority, or is related to any employee or elected official of the Authority that will exercise authority in the selection of the project consultant.

(4) My agents, representatives, sub-consultants and I will not undertake any activities or actions to promote or advertise my proposal to any member of any technical evaluation team reviewing the proposals, member of the Authority Board or Authority Staff except in the course of Authority-sponsored inquiries, briefings, interviews or presentations between the qualification/proposal statement submission date and award by the Authority.

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

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

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

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

Firm/Entity: \_\_\_\_\_

State Tax ID No.: \_\_\_\_\_

**ATTACHMENT 2 – INSURANCE REQUIREMENTS**

Prior to the commencement of any work under this Contract, consultant shall furnish a completed Certificate of Insurance to the Contracting Office, 907 Billy Mitchell Blvd, San Antonio TX 78226. The Certificate of Insurance shall be completed by an agent authorized to bind the named underwriter(s) and their company to the coverage, limits, and termination provisions shown thereon, and which shall furnish and contain all required information referenced or indicated thereon. The AUTHORITY shall have no duty to pay or perform under this Contract until such certificate shall have been delivered to the Contracting Office, and no officer or employee shall have authority to waive this requirement.

The AUTHORITY reserves the right to review the insurance requirements of this Article during the effective period of this Contract and any extension or renewal hereof and to modify insurance coverage and their limits when deemed necessary and prudent by the Authority’s Contracting Manager based upon changes in statutory law, court decisions, or circumstances surrounding this Contract, but in no instance, will the AUTHORITY allow modification whereupon the AUTHORITY may incur increased risk.

A consultant’s financial integrity is of interest to the AUTHORITY therefore, subject to consultant’s right to maintain reasonable deductibles in such amounts as are approved by the AUTHORITY, consultant shall obtain and maintain in full force and effect for the duration of this Contract, and any extension hereof, at consultant’s sole expense, insurance coverage written on an occurrence basis, by companies authorized and admitted to do business in the State of Texas and rated A- or better by A.M. Best Company and/or otherwise acceptable to the AUTHORITY, in the following types and amount

<u>TYPE</u>	<u>AMOUNT</u>
1. Workers’ Compensation	Statutory
2. Employers’ Liability	500,000/500,000/500,000
3. Commercial General (public) Liability Insurance to include coverage for the following:	<u>Combined Single Limit for Bodily Injury and Property</u>
a. Premises operation	<u>Damage of \$1,000,000 per occurrence</u>
b. Independent contractor’s	
c. Products/completed operations	

d. Contractual liability

4. Business Automobile Liability	1,000,000 combined single limit any one accident
5. Professional Liability (applicable)	1,000,000 per claim and 1,000,000 aggregate
6. Excess Umbrella Liability	2,000,000 per claim and 2,000,000 aggregate

The AUTHORITY shall be entitled, upon request and without expense, to receive copies of the policies and all endorsements thereto as they apply to the limits required by the AUTHORITY, and may make a reasonable request for deletion, revision, or modification of particular policy terms, conditions, limitations or exclusions (except where policy provisions are established by law or regulation binding upon either of the parties hereto or the underwriter of any such policies). Upon such request by the AUTHORITY, the consultant shall exercise reasonable efforts to accomplish such changes in policy coverage, and shall pay the cost thereof.

Consultant agrees that with respect to the above required insurance, all insurance Contracts and Certificate(s) of Insurance will contain the following required provisions.

- Name the AUTHORITY, the AUTHORITY and its officers, employees, and elected representatives as additional insured's with respect to operations and activities of, or on behalf of, the named insured performed under Contract with AUTHORITY, with the exception of the workers' compensation and professional liability policies;
- Provide for an endorsement that the "other insurance" clause shall not apply to the AUTHORITY where the AUTHORITY is an additional insured shown on the policy;
- Workers' compensation and employers' liability policy will provide a waiver of subrogation in favor of the AUTHORITY.

Consultant shall notify the AUTHORITY in the event of any notice of cancellation, non-renewal or material change in coverage and shall give such notices not less than seven (7) days prior to the change, or ten (10) day notice for cancellation due to non-payment of premiums, which notice must be

accompanied by a replacement Certificate of Insurance. All notices shall be given to the AUTHORITY at the following address:

**Port Authority of San Antonio**  
**907 Billy Mitchell Blvd**  
**San Antonio, Texas 78226-1802**

If consultant fails to maintain the aforementioned insurance, or fails to secure and maintain the aforementioned endorsements, the AUTHORITY may obtain such insurance, and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement; however, procuring of said insurance by the AUTHORITY is an alternative to other remedies the AUTHORITY may have, and is not the exclusive remedy for failure of consultant to maintain said insurance or secure such endorsement. In addition to any other remedies the AUTHORITY may have upon consultant's failure to provide and maintain any insurance or policy endorsements to the extent and within the time herein required, the AUTHORITY shall have the right to order consultant to stop work hereunder, and/or withhold any payment(s) which become due, to consultant hereunder until consultant demonstrates compliance with the requirements hereof.

Nothing herein contained shall be construed as limiting in any way the extent to which consultant may be held responsible for payments of damages to persons or property resulting from consultant's or its sub-consultants' performance of the work covered under this Contract.

**ATTACHMENT 3 – FORM A - GENERAL INFORMATION**

**PRIME FIRM - GENERAL INFORMATION:**

**Form "A"**

Project Name: **Commissioning Agent Services**

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

Firm Address: \_\_\_\_\_

Headquarters Address (For parent company other than above listed firm): \_\_\_\_\_

Office Telephone # \_\_\_\_\_

Fax Telephone # \_\_\_\_\_

Federal Tax I.D. No. \_\_\_\_\_

If Joint Venture, Name Participating Firms and Percentage Control. % Control

Firm A:

Firm B:

**If you are submitting as a joint venture, the following information should be completed for each of the joint venture firms.**

**YEARS IN BUSINESS:**

Number of years firm in business: \_\_\_\_\_

Type(s) of Organization(s): (Individual, Partnership, or Corporation) \_\_\_\_\_

Date(s) of Organization: (Month and Year) \_\_\_\_\_

Name and Date of Predecessor Organization(s): \_\_\_\_\_

**OFFICE PERSONNEL**

**List principals and titles:**

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

**Personnel other than Principals:**

Total number of employees in firm(s): \_\_\_\_\_

Number of other professionals: \_\_\_\_\_

Number of support personnel: \_\_\_\_\_

**SMWVBE CERTIFICATION OF PRIME FIRM OR JOINT VENTURE**

Attach copy of SBE/MBE/WBE or VBE certificate indicating certification is current or provide certification number(s).

**SUBCONSULTANT INFORMATION**

Attach a letter from each sub consultant on the proposed team, confirming that they have been contacted and are prepared to provide services for the project.

**OTHER CONSIDERATIONS**

1. Does your firm have and generally carry:

- Worker’s Compensation and Employers’ Liability Insurance  
 Yes       No; if yes, please state limits: \_\_\_\_\_
  
- Commercial General Liability Insurance  
 Yes       No; if yes, please state limits: \_\_\_\_\_
  
- Business Automobile Liability Insurance  
 Yes       No; if yes, please state limits: \_\_\_\_\_
  
- Professional Liability Insurance  
 Yes       No; if yes, please state limits: \_\_\_\_\_

2. Describe the quantity and nature of any work, interest in work, partnership interest, land ownership or other interest in any project, property or business dealing within the proposed project area or past or current business relationship which may give rise to a potential conflict of interest for your firm or associated firms in the execution of this project.

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