

Document 00910

ADDENDUM NO. 2

Date of Addendum: 02-07-2022

PROJECT NAME: *City Hall Annex – Restroom Remodel*

PROJECT NO: WBS No. D-000198

SUBMITTAL DATE: February 10, 2022 (THERE IS NO CHANGE TO
THE DATE)

FROM: City of Houston, General Services Department
900 Bagby, 2nd Floor, City Hall Annex
Houston, Texas 77002
Attn: Geoffrey Wheeler, Senior Project Manager

TO: Prospective Proposers

This Addendum forms a part of the Request for Proposals (RFP) and will be incorporated into the Contract, as applicable. Insofar as the original RFP is inconsistent, this Addendum governs.

SPECIFICATIONS

1. Section 00202A-CSP Standard Form Statement of Qualifications: Delete section entirely and replace with attached file dated 01/27/2022. Please note that the only change is Section 3.1 Safety (page 13) and Word version of the RFQ is also included with this Addendum.
2. Section 00202CSP Evaluation Process and Criteria: Delete section entirely and replace with attached file dated 02/04/2022.
3. Section 00210CSP Supplementary Instructions to Proposers: Delete section entirely and replace with attached file dated 02/04/2022.
4. Section 00340 Environmental Information: Section missing, see attached file dated 09/14/2005.
5. Section 00470 Pre-Bid Bidder's MWSBE Plan: Delete section entirely and replace with attached file dated 01/18/2022.
6. Section 00570 Contractor's Revised MWSBE Participation Plan: Delete section entirely and replace with attached file dated 01/18/2022.
7. Section 00808 MWSBE Policy: Delete section entirely and replace with attached file dated 01-14-2022.
8. Section 10 21 00 Toilet Compartments: Delete section entirely and replace with

attached file dated 01-28-2022.

DRAWINGS

1. P101 – Plumbing Plans Level P&1: Delete drawing entirely and replace with attached drawing dated 02/04/2022.
2. P102 – Plumbing Plans Level 2&3: Delete drawing entirely and replace with attached drawing dated 02/04/2022.
3. P103 – Plumbing Plans Level 4: Delete drawing entirely and replace with attached drawing dated 02/04/2022.
4. P601 – Plumbing Schedules, Details And Risers: Delete drawing entirely and replace with attached drawing dated 02/04/2022.

CLARIFICATIONS

Question #1: The RFQ on Section 3.1 Safety requires that the proposers “Attach current Workers Compensation Modifier Rating forms from the National Council on Compensation Insurance” Please note that NCCI does not provide EMR for companies that their payroll is less than certain amount. Please advise

Response: Section 3.1 of the RFQ has been modified, eliminating this requirement. Please see page 13 of attached revised RFQ.

END OF ADDENDUM NO. 2

(TRC:) 
Richard Vella
Assistant Director
Real Estate, Design & Construction Division
General Services Department

DATED: 02/09/2022

REQUEST FOR QUALIFICATIONS (RFQ)

FOR CONTRACTOR

Project Name / Number: **City Hall Annex Restroom Remodel / D-000198-0001-4-01**



4 - STANDARD FORM

STATEMENT OF QUALIFICATIONS FOR COMPETITIVE SEALED PROPOSALS

SOQ's are to be bound with clearly marked tabs that correspond to the sections of the SOQ. Total pages are limited by the SOQ form and additional pages set out in SOQ instructions. Other pages should not be included. The response boxes can be expanded to fit more information; however, the tables must remain the same size. Typically, font size shall be 8 pt. or larger.

0.1 PROPOSER'S GENERAL INFORMATION

Is SOQ being submitted by a Joint Venture?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Proposer's legal name:			
Proposer's assumed names (if any):			
Proposer's local address:		Proposer's Headquarters Address (if different than local address):	
Contact Name for SOQ: Email address: Telephone number:		Federal Tax ID Number:	

REQUEST FOR QUALIFICATIONS (RFQ)

FOR CONTRACTOR

Project Name / Number: **City Hall Annex Restroom Remodel / D-000198-0001-4-01**

0.2 JOINT VENTURE FIRM(S) INFORMATION. *If submitting as a joint venture, the following information is required for each additional joint venture firm. Insert additional tables, if necessary.*

Firm's legal name:			
Firm's assumed names (if any):			
Firm's local address:		Firm's Headquarters Address (if different than local address):	
Federal Tax ID Number:			

REQUEST FOR QUALIFICATIONS (RFQ)

FOR CONTRACTOR

Project Name / Number: **City Hall Annex Restroom Remodel / D-000198-0001-4-01**

1.1 PROPOSER'S EXPERIENCE. *Proposers should select **three** representative projects of similar size and scope. Recent projects completed within ten years or less are preferable. The three projects are not limited to projects of similar occupancy type.*

Construction Firm Name:			
I. Project Name:			
Project Location:			
Year Construction Completed (month/year): <i>NOTE: If the project is not substantially complete at the time of submission, the Proposer will be awarded zero points.</i>		New Construction or Renovation:	
Construction Cost:		Building Area Square Footage:	
Name, Phone Number and Email of Owner's Representatives:			
Project Description:			
Architectural Firm:			
Names of Proposed Key Personnel Listed in Section 2.1 that Worked on this Project (if any):			
<i>Attach up to two pages of photographs behind this sheet.</i>			

REQUEST FOR QUALIFICATIONS (RFQ)

FOR CONTRACTOR

Project Name / Number: **City Hall Annex Restroom Remodel / D-000198-0001-4-01**

1.1

Construction Firm Name:			
II. Project Name:			
Project Location:			
Year Construction Completed (month/year): <i>NOTE: If the project is not substantially complete at the time of submission, the Proposer will be awarded zero points.</i>		New Construction or Renovation:	
Construction Cost:		Building Area Square Footage:	
Name, Phone Number and Email of Owner's Representatives:			
Project Description:			
Architectural Firm:			
Names of Proposed Key Personnel Listed in Section 2.1 that Worked on this Project (if any):			
<i>Attach up to two pages of photographs behind this sheet.</i>			

REQUEST FOR QUALIFICATIONS (RFQ)

FOR CONTRACTOR

Project Name / Number: **City Hall Annex Restroom Remodel / D-000198-0001-4-01**

1.1

Construction Firm Name:			
III. Project Name:			
Project Location:			
Year Construction Completed (month/year): <i>NOTE: If the project is not substantially complete at the time of submission, the Proposer will be awarded zero points.</i>		New Construction or Renovation:	
Construction Cost:		Building Area Square Footage:	
Name, Phone Number and Email of Owner's Representatives:			
Project Description:			
Architectural Firm:			
Names of Proposed Key Personnel Listed in Section 2.1 that Worked on this Project (if any):			
<i>Attach up to two pages of photographs behind this sheet.</i>			

REQUEST FOR QUALIFICATIONS (RFQ)

FOR CONTRACTOR

Project Name / Number: **City Hall Annex Restroom Remodel / D-000198-0001-4-01**

2.1 PROPOSED KEY PERSONNEL. *List the key personnel proposed for this project. Include the Project Manager and the Superintendent.*

SOQ Project Role	Describe Functions of Project Role	Personnel Name	Corporate Title	Active Registrations / Certifications / Licenses	Years of Experience
Project Manager					
Project Superintendent					

REQUEST FOR QUALIFICATIONS (RFQ)

FOR CONTRACTOR

Project Name / Number: **City Hall Annex Restroom Remodel / D-000198-0001-4-01**

2.2 EXPERIENCE OF PROJECT MANAGER. *Proposers should select **three** representative projects of similar size and scope for the Project Manager. Recent projects completed within ten years or less are preferable. The three projects are not limited to projects of similar occupancy type.*

Project Manager Name:			
I. Project Name:			
Project Location:			
Year Construction Completed (month/year): <i>NOTE: If the project is not substantially complete at the time of submission, the Proposer will be awarded zero points.</i>		New Construction or Renovation:	
Construction Cost:		Building Area Square Footage:	
Name, Phone Number and Email of Owner's Representatives:			
Project Description:			
Architectural Firm:			
Project Duties Performed by the Project Manager:			
Names of Proposed Key Personnel Listed in Section 2.1 that Worked on this Project (if any):			
<i>Attach up to two pages of photographs behind this sheet.</i>			

REQUEST FOR QUALIFICATIONS (RFQ)

FOR CONTRACTOR

Project Name / Number: **City Hall Annex Restroom Remodel / D-000198-0001-4-01**

2.2

Project Manager Name:			
II. Project Name:			
Project Location:			
Year Construction Completed (month/year): <i>NOTE: If the project is not substantially complete at the time of submission, the Proposer will be awarded zero points.</i>		New Construction or Renovation:	
Construction Cost:		Building Area Square Footage:	
Name, Phone Number and Email of Owner's Representatives:			
Project Description:			
Architectural Firm:			
Project Duties Performed by the Project Manager:			
Names of Proposed Key Personnel Listed in Section 2.1 that Worked on this Project (if any):			
<i>Attach up to two pages of photographs behind this sheet.</i>			

2.2

REQUEST FOR QUALIFICATIONS (RFQ)

FOR CONTRACTOR

Project Name / Number: **City Hall Annex Restroom Remodel / D-000198-0001-4-01**

Project Manager Name:			
III. Project Name:			
Project Location:			
Year Construction Completed (month/year): <i>NOTE: If the project is not substantially complete at the time of submission, the Proposer will be awarded zero points.</i>		New Construction or Renovation:	
Construction Cost:		Building Area Square Footage:	
Name, Phone Number and Email of Owner's Representatives:			
Project Description:			
Architectural Firm:			
Project Duties Performed by the Project Manager:			
Names of Proposed Key Personnel Listed in Section 2.1 that Worked on this Project (if any):			
<i>Attach up to two pages of photographs behind this sheet.</i>			

REQUEST FOR QUALIFICATIONS (RFQ)

FOR CONTRACTOR

Project Name / Number: **City Hall Annex Restroom Remodel / D-000198-0001-4-01**

2.3 EXPERIENCE OF PROJECT SUPERINTENDENT *Proposers should select **three** representative projects of similar size and scope for the Project Superintendent. Recent projects completed within ten years or less are preferable. The three projects are not limited to projects of similar occupancy type.*

Project Superintendent's Name:			
I. Project Name:			
Project Location:			
Year Construction Completed (month/year): <i>NOTE: If the project is not substantially complete at the time of submission, the Proposer will be awarded zero points.</i>		New Construction or Renovation:	
Construction Cost:		Building Area Square Footage:	
Name, Phone Number and Email of Owner's Representatives:			
Project Description:			
Architectural Firm:			
Project Duties Performed by the Project Superintendent:			
Names of Proposed Key Personnel Listed in Section 2.1 that Worked on this Project (if any):			
<i>Attach up to two pages of photographs behind this sheet.</i>			

REQUEST FOR QUALIFICATIONS (RFQ)

FOR CONTRACTOR

Project Name / Number: **City Hall Annex Restroom Remodel / D-000198-0001-4-01**

2.3

Project Superintendent's Name:			
II. Project Name:			
Project Location:			
Year Construction Completed (month/year): <i>NOTE: If the project is not substantially complete at the time of submission, the Proposer will be awarded zero points.</i>		New Construction or Renovation:	
Construction Cost:		Building Area Square Footage:	
Name, Phone Number and Email of Owner's Representatives:			
Project Description:			
Architectural Firm:			
Project Duties Performed by the Project Superintendent:			
Names of Proposed Key Personnel Listed in Section 2.1 that Worked on this Project (if any):			
<i>Attach up to two pages of photographs behind this sheet.</i>			

2.3

REQUEST FOR QUALIFICATIONS (RFQ)

FOR CONTRACTOR

Project Name / Number: **City Hall Annex Restroom Remodel / D-000198-0001-4-01**

Project Superintendent's Name:			
III. Project Name:			
Project Location:			
Year Construction Completed (month/year): <i>NOTE: If the project is not substantially complete at the time of submission, the Proposer will be awarded zero points.</i>		New Construction or Renovation:	
Construction Cost:		Building Area Square Footage:	
Name, Phone Number and Email of Owner's Representatives:			
Project Description:			
Architectural Firm:			
Project Duties Performed by the Project Superintendent:			
Names of Proposed Key Personnel Listed in Section 2.1 that Worked on this Project (if any):			
<i>Attach up to two pages of photographs behind this sheet.</i>			

REQUEST FOR QUALIFICATIONS (RFQ)

FOR CONTRACTOR

Project Name / Number: **City Hall Annex Restroom Remodel / D-000198-0001-4-01**

3.1 SAFETY: *Attach current Safety Program Manual*

Does your company have a Safety Program Manual?	<input type="checkbox"/> Yes <input type="checkbox"/> No
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4.1 HIRE HOUSTON FIRST: *Proposers answer one of the following City of Houston designations, as defined in the Code of Ordinances Section 15-176.*

Designated as a "City Business Enterprise"?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Designated as a "Local Business Enterprise"?	<input type="checkbox"/> Yes <input type="checkbox"/> No
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Document 00202-CSP
EVALUATION PROCESS AND CRITERIA

1.0 SUBMITTAL INSTRUCTIONS

Step One: Statement of Qualifications Proposers shall submit six hard copies and one electronic copy (flash drive) of the Statement of Qualifications Submittals, in a sealed box labeled with the Proposer's name, name of the Project, and General Services Department. The Statement of Qualifications shall be submitted at the time and location as set out in Document 00210CSP, Paragraph 10.0.A.

Step Two: Proposal – Short-listed Proposers will submit a Proposal in the manner set out in Document 00200CSP, Paragraph 10.0.D and at the time and location as set out in Document 00210CSP, Paragraph 10.0.A.

2.0 EVALUATION PROCESS

The Proposers will be evaluated as follows:

Step One: Statement of Qualifications - An Evaluation Committee will review and evaluate Proposer's SOQ, based on the evaluation criteria set out below. Proposers can receive up to 50 points for the SOQ. A maximum of five firms may be short-listed to participate in Step Two.

Step Two: Proposal – Short-listed Proposers will submit a Proposal at the time and location as set out in Document 00210CSP, Paragraph 10.0.A. Proposers can receive up to 50 additional points that will be added to the SOQ scores obtained from Step One.

The proposer who offers the best value will be selected and awarded the project subject to successful negotiations in accordance with Paragraphs 16.0 and 17.0 of Document 00200 – Instructions to proposers.

3.0 EVALUATION CRITERIA FOR STEP ONE

The SOQs will be evaluated as follows:

0. SOQ completed in accordance with instructions. (5 Points Maximum)
1. Proposer's Experience (20 Points Maximum)
2. Proposed Key Personnel's Experience (20 Points Maximum)
Safety (5 Points Maximum). Document 00202A – SOQ, Section 3.1.

4.0 HIRE HOUSTON FIRST

To be eligible for the preference, a company must be designated as a "City Business" (CB) or "Local Business" (LB) under the Hire Houston First Program prior to submittal of proposal. Proposers must provide the *Declaration of Hire Houston First Designation Form* Exhibit II, Attachment "E" with the proposal submission. At the conclusion of scoring Proposals, Hire Houston First preference points shall be distributed in such a way that grants 5 points to a "City Business" (CB) and 3 points to a "Local Business" (LB). Proposers not designated as either a "City Business" (CB) or "Local Business" (LB) will not receive any points.

END OF DOCUMENT

Document 00210CSP

SUPPLEMENTARY INSTRUCTIONS TO PROPOSERS

The following Paragraphs modify Document 00200CSP - Instructions to Proposers. Where a portion of the Instructions to Proposers is modified or deleted by these Supplementary Instructions, the unaltered portions of the Instructions to Proposers remains in effect.

PARAGRAPH 2.0 – DEFINITIONS:

Add the following sub-Paragraphs to this Paragraph:

- P. Office of Business Opportunity (OBO): All references to Affirmative Action Contract Compliance Division (AACC) set forth in Document 00700 – General Conditions and in other documents of the Project Manual, shall refer to, and include, the Office of Business Opportunity.
- Q. Director: Director, General Services Department, City of Houston.

PARAGRAPH 3.0 – NOTICE TO PROPOSERS

Add the following sub-Paragraph to this Paragraph:

- H. The City will award this contract to a “Local Business”, as that term is defined in Section 15-176 of the City of Houston Code of Ordinances (“the Code”):
 - If the proposal of the Local Business is less than \$100,000 and is the lowest responsible proposal or is within 5% of the lowest proposal received, or
 - If the proposal of the Local Business is more than \$100,000 and is the lowest responsible proposal or is within 3% of the lowest proposal received, and
 - Unless the Director determines that such an award would unduly interfere with contract needs, as provided in Section 15-181 of the Code.

If there is no proposal of a Local Business that meets these criteria, the City will award the contract to the lowest responsible proposer.

PARAGRAPH 4.0 – REQUEST FOR COMPETITIVE SEALED PROPOSAL DOCUMENTS

Add the following sub-Paragraphs to this Paragraph:

A. Add the following Paragraph A.1:

1. All request for RFCSP documents should be sent to Richard.Vella@houstontx.gov; cc: Geoffrey.Wheeler@houstontx.gov. All Addenda will be posted on the General Services website for your review.

E. Add the following sub-Paragraph E.1:

1. **Designation as a Hire Houston First City Business (CB) or Local Business (LB)**

To be designated as a City Business (“CB”) or as a Local Business (“LB”) for the purposes of the Hire Houston First Program, as set out in Article XI of Chapter 15 of the Houston City Code, a proposer or proposer must submit the **Hire Houston First Application and Declaration** to the Director of the Office of Business Opportunity and receive notice that the application has been processed and the appropriate designation (if any) is awarded, prior to the submission of a proposal or proposal. Proposers must show evidence of HHF designation (as applicable) prior to, or accompanying, the submission of a proposal or proposal.

The absence of a Hire Houston First designation does not preclude a business from proposing on City of Houston contracts.

Download the HHF Application and Declaration from the Office of Business Opportunity Webpage at the City of Houston e-Government Website, located at:

<http://www.houstontx.gov/obo/hirehoustonfirst.html>

or, delivered to:

Office of Business Opportunity
611 Walker, 7th Floor
Houston, Texas 77002.
Phone: (832) 393-0951
Fax: (832) 393-0646
hirehoustonfirst@houstontx.gov

PARAGRAPH 5.0 – EXAMINATION OF DOCUMENTS, SITE, AND LOCAL CONDITIONS

Insert the following sub-Paragraph:

- D. Add the following sub-Paragraph D.1:
 - 1. Area within contract limits is currently restricted. Access for examination is restricted to times, durations, routes and presence of City authorities, occurring at the conclusion of the Pre-Submittal Meeting or as otherwise directed by City Engineer. See Paragraph 15.0 below.

PARAGRAPH 9.0 – PREPARATION OF PROPOSALS

Add the following sub-Paragraph I to this Paragraph:

- I. For math errors the City encounters in analyzing Proposals, the following guidance will be used:

In the event of a conflict between:	The Proposal Price is:
1. Individual Unit Price and Extension of that Unit Price	Individual Unit Price times Estimated Quantity
2. A Unit Price extension and total of Unit Price Extensions	Sum of all Individual Unit Price Extensions
3. Individual Alternate and total of Alternates	Sum of all Individual Alternates
4. Individual subtotals for Stipulated Price, Base Unit Prices, Extra Unit Prices, Contractor Bonus, Cash Allowances, and Alternates; and the Total Proposal Price	Sum of Individual subtotals for Stipulated Price, Base Unit Prices, Extra Unit Prices, Contractor Bonus, Cash Allowances and Alternates

PARAGRAPH 10.0 – QUALIFICATION AND PROPOSAL SUBMISSION

Add the following sub-Paragraphs A.1 and A.2 to this Paragraph:

- A.1 City Secretary will receive Statement of Qualifications at 900 Bagby, Room P101, Houston, Texas until 10:30 a.m., local time on Thursday, February 3, 2022.

- A.2 City Secretary will receive Proposals at 900 Bagby, Room P101, Houston, Texas until 10:30 a.m., local time on Thursday, March 24, 2022.

PARAGRAPH 15.0 – PRE-SUBMITTAL MEETING

Add the following sub-Paragraphs A.1 and A.2 to this Paragraph:

- A.1 A Pre-Submittal Meeting will be conducted as a Teleconference a meeting
Date: Tuesday, January 25, 2022 at 11:00AM
Conference Number: 1 (936) 755–1521
Conference ID: 163 607 647#
- A.2 A Pre-Proposal Meeting will be conducted as a Teleconference a meeting
Date: Tuesday, March 8, 2022 at 11:00AM
Conference Number: 1 (936) 755–1521
Conference ID: 190 269 099#

END OF DOCUMENT

Document 00340

ENVIRONMENTAL INFORMATION

1.0 DOCUMENT INCLUDES

- A. Environmental Site Assessment, if applicable.
- B. Asbestos and Lead Surveys, if applicable.
- C. Bidder's responsibilities.

2.0 RELATED DOCUMENTS

- A. Document 00320 - Geotechnical Information

3.0 SITE INVESTIGATION REPORTS

- A. In the design and preparation of Contract documents for this Project, the City and Design Consultant have used information in environmental site assessment reports for the investigation and analysis of soils and subsurface conditions at the Project site.
- B. In the design and preparation of Contract documents for this Project, the City and Design Consultant have relied upon information in surveys taken for Asbestos-containing Materials (ACMs) and lead at the Project site.
- C. A copy of each report is available for examination at the City Hall Annex, General Services Department offices located at 900 Bagby Street, 2nd Floor, Houston, Texas 77002.
- D. Neither the City nor Design Consultant is responsible for accuracy or completeness of any information or data.

4.0 REPORTS

- A. Asbestos and Lead Surveys

1. Report No. 146-227-M7, prepared by the firm of Environmental Technologies, Inc, entitled Report of a Survey at the City Hall Annex Houston, TX for Asbestos Containing Materials, dated May 1988, consisting of 48 pages.

5.0 BIDDER RESPONSIBILITIES

- A. Bidder shall take full responsibility for interpretation and use of information contained in above listed reports for bidding and construction purposes.
- B. Bidder may perform additional investigations as Bidder deems appropriate.

END OF DOCUMENT

Document 00470

BIDDER'S MWSBE PARTICIPATION PLAN

The Bidder or Proposer shall submit this completed form with the bid to demonstrate the Bidder/Proposer's plan to meet the M/WBE contract goal(s) ("contract goal(s)"). If the Bidder/Proposer cannot meet the contract goal(s), the Bidder/Proposer has the burden to demonstrate "Good Faith Efforts," which shall include correctly and accurately preparing and submitting this form, a Record of Good Faith Efforts (Document 00471), a Request for Deviation from the Goal (Document 00472), and supporting documentation evidencing their "Good Faith Efforts," as required by the City of Houston's Good Faith Efforts Policy (Document 00808). The City will review the Participation Plan and Good Faith Efforts at the time of bid opening. Visit <http://www.houstontx.gov/obo> for more information.

City Advertised Contract Goal	MBE	WBE	<ul style="list-style-type: none"> • MBE and WBE Goals are two separate Contract Goals, to be met individually. • Any excess of one Goal cannot be applied to meet another Goal. • An SBE can be applied to the MBE and/or WBE Goal, but not to exceed 4%. • Up to 50% of the Bidder's Participation plan may be met using Suppliers. • Up to 50% of the advertised goal may be met at the at the Prime level if the Prime is a City-certified firm. Bidder must select one (1) certification type for Prime level credit. Prime level participation percentage must not exceed the individual MBE or WBE advertised goal. Prime level credit does not apply to SBE-certified firms.
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NAICS Code (6 digit)	Description of Work (Plan Sheet #, Unit Price #, Scope of Work #, as applicable)	% of Total Bid Price (2 decimal places; for example: 5.00%)	Services or Supplier	Cert. Type for Goal: MBE, WBE, or SBE	Certified Firm Name Firm Address Contact Name Phone No. and E-Mail
				MBE <input type="checkbox"/> WBE <input type="checkbox"/>	USE THIS LINE FOR PRIME LEVEL CREDIT ONLY. CREDIT MUST NOT EXCEED 50% OF THE ADVERTISED GOAL
				MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	
				MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	
				MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	

By submitting this form, your firm agrees to enter into formal subcontracting agreement(s) with the MWBE subcontractors/subconsultants listed on this participation plan upon award of a contract from the City.

Bidder's Participation Plan Total	MBE	WBE	SBE

Authorized Signature: _____

Printed Name: _____

Company Name: _____

Date: _____

Phone: _____

Email: _____

DOCUMENT 00470

**BIDDER'S MWSBE PARTICIPATION PLAN
CONTINUATION PAGE**

NAICS Code (6 digit)	Description of Work (Plan Sheet #, Unit Price #, Scope of Work #, as applicable)	% of Total Bid Price (2 decimal places; for example: 5.00%)	Services or Supplier	Cert. Type for Goal: MBE, WBE, or SBE	Certified Firm Name Firm Address Contact Name Phone No. and E-Mail
				MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	
				MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	
				MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	
				MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	
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				MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	
				MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	

*I understand that supplying inaccurate information may violate Texas Penal Code Section 37.10 and lead to City sanctions.

Document 00570

CONTRACTORS REVISED MWSBE PARTICIPATION PLAN

As soon as the Contractor becomes aware that the Contractor may not abide by the most current approved Plan, the Contractor shall submit this completed form with a Record of Post-Bid Good Faith Efforts (Document 00571), a Request for Plan Deviation (Document 00572), and any other document evidencing "Good Faith Efforts," as required by the Good Faith Efforts Policy (Document 00808). The City will review this Revised Participation Plan and may approve this Revised Plan if the Contractor has made Good Faith Efforts. For more information, visit <http://www.houstontx.gov/obo>.

Original Participation Plan Percentage		MBE	WBE	SBE	Revised Participation Plan Percentage		MBE	WBE	SBE
NAICS Code (6 digit)	Description of Work (Plan Sheet #, Unit Price #, Scope of Work #, as applicable)	% of Total Bid Price (2 decimal places; for example: 5.00%)			Cert. Type for Goal: MBE, WBE, or SBE	Certified Firm Name Firm Address Contact Name Phone No. and E-Mail (if available)			
					MBE <input type="checkbox"/> WBE <input type="checkbox"/>	USE THIS LINE FOR PRIME LEVEL CREDIT ONLY. CREDIT MUST NOT EXCEED 50% OF THE ADVERTISED GOAL			
					MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>				
					MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>				
					MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>				
					MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>				
					MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>				

Authorized Signature: _____

Date: _____

Print Name: _____

Company Name: _____

Email: _____

Phone: _____

*I understand that supplying inaccurate information may violate Texas Penal Code Section 37.10 and lead to City sanctions.

DOCUMENT 00570

**CONTRACTORS REVISED MWSBE PARTICIPATION PLAN
CONTINUATION PAGE**

NAICS Code (6 digit)	Plan Item Number (if applicable) / Description of Work	% of Total Bid Price (2 decimal places; for example: 5.00%)	Cert. Type for Goal: MBE, WBE, or SBE	Certified Firm Name Firm Address Contact Name Phone No. and E-Mail (if available)
			MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	
			MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	
			MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	
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			MBE <input type="checkbox"/> WBE <input type="checkbox"/> SBE <input type="checkbox"/>	

*I understand that supplying inaccurate information may violate Texas Penal Code Section 37.10 and lead to City sanctions.

Document 00808

**REQUIREMENTS FOR THE CITY OF HOUSTON PROGRAM FOR MINORITY, WOMEN, AND
SMALL BUSINESS ENTERPRISES (MWSBE) AND PERSONS WITH DISABILITIES
ENTERPRISES (PDBE)**

CONSTRUCTION CONTRACTS

I. GENERAL

A. CITY AUTHORITIES

1. The "OBO Director" is the City of Houston's Office of Business Opportunity ("OBO") Director, or his or her designee.

City of Houston
611 Walker Street, 7th Floor
Houston, Texas 77002

2. The "Contracting Department" for this Project is the City of Houston Department specified in Document 00520, "Agreement."
3. The "Project Manager" for this Project is specified in Document 00550, "Contract Approval Notification."

**II. REOCCURRING REPORTS THAT MUST BE SUBMITTED DURING THE COURSE OF
THE CONTRACT:**

A. MWSBE MONTHLY REPORT PROCESS

The Contractor shall complete the MWSBE Monthly Utilization Report in the Contract Compliance and Monitoring System (available at <https://houston.mwdbe.com/>).

- B. The Contractor shall further comply with applicable instructions regarding reporting and compliance, as provided in Sections III.E and III.I below.

III. BUSINESS ENTERPRISE PROGRAM REQUIREMENTS:

A. PURPOSE

This Document facilitates implementation of City of Houston, Tex. Code of Ordinances Chapter 15, Article V, § 15-81 *et seq.*, relating to MWSBE contract

participation, and Code of Ordinances Chapter 15, Article VI, § 15-90 *et seq.*, relating to PDBE contract participation (collectively, the “Business Enterprise Program” or “MWSBE”). City of Houston, Tex. Ordinance 2013-0428, May 8, 2013.

B. POLICY

It is the policy of the City to encourage the full participation of Minority Business Enterprises, Women Business Enterprises, and Small Business Enterprises, and Persons with Disabilities Business Enterprises, in all phases of its procurement activities and to afford them a full and fair opportunity to compete for City contracts at all levels.

C. POLICY ELEMENTS

1. The Contractor agrees to ensure that MWSBE firms have a full and fair opportunity to participate in the performance of City contracts. In this regard the Contractor shall make all reasonable Good Faith Efforts to meet the Contract Goals for this Contract.
2. The Contractor and any Subcontractor shall not discriminate on the basis of race, color, religion, national origin, or sex in the performance of City contracts.
3. Contractor's performance in meeting the Participation Plan Percentage will be monitored during the construction phase of the Contract by the Office of Business Opportunity (“OBO”) and the Contracting Department (the “Department”).

D. PERCENTAGE GOALS

The MWSBE goals and PDBE goals, if any, for the Work are specified in Document 00800, “Supplementary Conditions.”

E. CONTRACTOR RESPONSIBILITIES

1. **Prior to Award:**

The Bidder shall submit MWSBE documents in accordance with the requirements of Document 00410, “Bid Form Part A.”

 - a. In accordance with the Code of Ordinances and the OBO Good Faith Efforts Policy (Attachment A), the Department shall approve an “Apparent Low Bidder’s MWSBE Participation Plan,” Document 00470 (the “Bidder’s Plan” or “Plan”), within three business days of

- the Bid Opening only if the Department representative determines that Bidder's Plan meets the advertised Contract Goals and is administratively complete.
- b.** If the Department cannot approve the Bidder's Plan, it shall forward the Plan to OBO, who shall review the Bidder's Plan, and if applicable, the Bidder's Document 00471, "Record of Good Faith Efforts," and Document 00472, "Pre-Award Deviation Request," and determine whether the Bidder has made Good Faith Efforts to meet the Contract Goals within 10 business days of the Bid Opening.
 - c.** The Bidder may not use MWSBE Suppliers to account for more than 50% of the MWSBE participation plan.
 - d.** If the bidder is an MBE or WBE firm certified by the City of Houston, the Bidder may use its self-performance on the contract to satisfy up to 50% of the overall goal specified in Document 00800. If the Bidder is certified as both an MBE and WBE firm, the Bidder must select one (1) certification type for which goal credit will be provided.
 - e.** If OBO determines that the Bidder has failed to provide a valid participation plan or make Good Faith Efforts, or if the Bidder fails to provide documents and associated information required by this Document 00808 or reasonably requested in writing by OBO, OBO may declare the Bidder to be non-responsible.
 - f.** If OBO determines that the Bidder has made Good Faith Efforts, OBO may approve Document 00472, "Bidder's Contract MWSBE Goal Deviation Request." Thereafter, the Bidder/Contractor shall be bound by the Plan, as approved or modified by OBO.
 - g.** The Contractor shall:
 - (1)** ensure that all MWSBE firms listed in the Plan are certified by the OBO prior to bid date. Qualified, non-certified firms may obtain priority consideration for certification if no more than two firms are certified with the same capability as the non-certified firm;
 - (2)** execute written contracts with all certified Subcontractors and Suppliers. All such contracts must be executed and sent to OBO and the Contracting Department within 30 days after the date of the Notice to Proceed and must include provisions set forth in Articles 3 and 5 of Document 00700, "General Conditions;" and
 - (3)** designate an MWSBE liaison officer who will administer the Contractor's MWSBE program and who shall document and maintain records of Good Faith Efforts to subcontract with MWSBE Subcontractors and Suppliers, in addition to self-performance towards a Contract Goal by a certified MBE or WBE Contractor, if applicable.

2. After Award:

- a. The Contractor shall submit MWSBE Monthly Utilization Reports, as requested in Article II above.
- b. The Contractor shall complete and submit to OBO a deviation request if the Contractor reasonably believes that it will not achieve the Business Enterprise Program Participation Plan Percentage documented in the Plan and/or will not use in each Certified Firm in accordance with the Approved Plan before the Contractor uses another firm to perform the work.
- c. The Contractor shall conform to the Plan unless OBO approves a deviation request. OBO shall approve or reject a request for deviation within five business days of receipt of the request.
- d. OBO shall approve a deviation request if:
 - (1) for a reason beyond the Contractor's control, the Contractor is unable to use the certified MWSBE firm in the Plan to perform the specified work. In such cases, the Contractor shall use and document Good Faith Efforts to find a similarly qualified, certified MWSBE firm to perform such specified work; or
 - (2) the Contractor reasonably believes that, due to a change of scope, execution of the work in accordance with the directions from the Contracting Department, it is unlikely to meet the terms of the Plan. In such cases, the Contractor shall use and document Good Faith efforts to achieve MWSBE participation on the remaining work on the Contract.
 - (3) OBO shall not unreasonably withhold approval of a deviation request.
- e. After the Date of Substantial Completion, OBO shall evaluate the Contractor's Good Faith Efforts towards meeting the Plan, as it may be amended.
- f. If the Contractor fails to conform to the Plan and fails to submit a Post-Award Deviation Request or provide documents and associated information required by the Good Faith Efforts Policy or reasonably requested in writing by OBO, OBO may impose sanctions in accordance with Article VI of this Document 00808.

F. ELIGIBILITY OF MWSBE FIRMS FOR GOAL CREDIT

1. To ensure that the City's Business Enterprise Program benefits only those firms that are owned and controlled by a minority person(s), a woman (women), a person(s) with a disability, or a small business enterprise, OBO will certify the eligibility of MWSBE and PDBE Contractors, Subcontractors, and Suppliers. Contact the OBO Certification Division at 832-393-0600 or obocertification@houstontx.gov for information regarding

certification.

2. Firms must be certified by OBO at the time of bid in order to be counted towards meeting MWSBE goals at contract award, or prior to a Post-Award Deviation Request being submitted to, and approved by, OBO. OBO maintains a Certified Minority, Women and Small Business Enterprises and Persons with Disabilities Business Enterprises Directory on the City's website. This Directory also lists federally-designated Disadvantaged Business Enterprises (DBEs).

G. DETERMINATION OF MWSBE PARTICIPATION

MWSBE participation shall be counted toward meeting the Contract Goals in response to the following:

1. Contractor may count toward its Contract Goals only those MWSBE Subcontractors/Suppliers, or the Contractor's self-performance if Contractor is a Certified MBE or WBE, performing a Commercially Useful Function.
 - a. **COMMERCIALLY USEFUL FUNCTION** means a discrete task or group of tasks, the responsibility for performance of which shall be discharged by the MWSBE firm by using its own forces or by actively supervising on-site the execution of the tasks by another entity for whose work the MWSBE firm is responsible. In determining whether a certified firm is performing a commercially useful function, factors including but not limited to the following shall be considered: (1) whether the firm has the skill and expertise to perform the work for which it is being utilized and possesses all necessary licenses; (2) whether the firm is in the business of performing, managing, or supervising the work for which it has been certified and is being utilized; and (3) whether it is performing a real and actual service that is a distinct and verifiable element of the work called for in a contract.
2. Counting MWSBE Participation:
 - a. **Prime Level Participation:** A MBE or WBE certified Prime may count its self-performance for up to 50% of the overall advertised goal. The certified MWBE Prime may count only the work in which the MWBE has performed a Commercially Useful Function. The use of a certified MWBE Prime's self-performance to meet multiple goals (e.g., MBE and WBE) on a contract is prohibited.
 - b. **Subcontractor Participation:** Once a firm is certified as a MWSBE firm, the total dollar value of the subcontract awarded to the MWSBE firm is counted toward the Contract Goals, counting only

the work in which the MWSBE has performed a Commercially Useful Function. The use of one MWSBE certified firm to meet multiple goals (e.g., MBE, WBE, SBE goals) on a contract is prohibited, unless expressly approved by OBO.

- c. Joint Ventures:** The dollar value of the work performed by a certified Prime Contractor that is a member of a joint venture may be counted towards satisfaction of the MWSBE goals. When the Contractor or Subcontractor is in a joint venture with one or more MWSBE firms, OBO shall determine the percent of participation resulting from such joint venture to be counted toward the Contract Goals. The City may count towards the Contractor's MWSBE contract goal that portion of the total value of the contract amount paid to an MWSBE joint venturer equal to the distinct, clearly defined portion of the contract work performed by the MWSBE.
- 3.** Native-American-owned firms that are certified as MBEs cannot be used to meet MBE contract goals on contracts where the City of Houston is the goal setting authority. Native American firms can only be used as SBEs in fulfillment of MBE contracts goals on such contracts, with any limitations expressly stated in Document 00800.
- 4.** The Contractor may not use MWSBE Suppliers to account for more than 50% of the MWSBE participation plan. A MWSBE Supplier's participation will be counted towards the MWSBE goals if all of the criteria below are met. The MWSBE Supplier must:

 - a.** negotiate price;
 - b.** determine quality and quantity;
 - c.** order the materials;
 - d.** show that the invoice is in the certified firm's name;
 - e.** pay for the material itself;
 - f.** control delivery; and
 - g.** be certified to provide the supplies in the appropriate NAICS code.

If the listed criteria above are not met, only the entire amount of fees or commissions charged for assistance in the procurement of the supplies and materials, or fees or transportation charges for the delivery of supplies or materials required on a job site will be counted towards the MWSBE goal. To be counted, proof must be provided of the fees paid and the fees must be reasonable and not excessive as compared with fees customarily allowed for similar services.

- 5.** The OBO Policy and Procedures Manual, as amended from time to time, shall apply to the Contract for other determinations regarding counting MWSBE participation not explicitly provided for in the Contract.

H. CONTRACTOR COMPLIANCE

To ensure compliance with MWSBE requirements, OBO and the Department will monitor Contractor's efforts regarding MWSBE Primes/Subcontractors/Suppliers during the performance of this Contract. This may be accomplished through the following: job site visits; reviewing of records and reports; and interviews of randomly selected personnel.

I. RECORDS AND REPORTS

1. In accordance with II.A of this Document, the Contractor shall submit an initial report outlining MWSBE participation 40 days after the Notice to Proceed date, and on or before the 15th day of each month thereafter until all MWSBE subcontracting or material supply activity is completed. Each report shall cover the preceding month's activity. The Contractor shall use the MWSBE Contract Compliance and Monitoring System (B2GNow) to meet this requirement.
2. Contractor shall maintain the following records for review upon request by OBO or the Department:
 - a. Copies of executed Subcontractor agreements;
 - b. Copies of executed purchase orders;
 - c. Documentation of payments and other transactions with MWSBE Subcontractors/ Suppliers; and
 - d. Appropriate explanations of any changes or replacements of MWSBE Subcontractors/Suppliers. All replacement MWSBE Subcontractors/Suppliers must be certified by OBO.
 - e. Any other records required by OBO or Contracting Department.
3. If a Participation Plan Percentage is not being met, the monthly report shall include a narrative description of the progress being made in MWSBE participation. MWBE Primes and MWSBE Subcontractors or MWSBE Suppliers being used to meet the Participation Plan Percentage should be identified by name and the dollar amount paid to date for work performed or materials furnished by each MWSBE during the monthly period. Reports are required when no activity has occurred in a monthly period.
4. Contractor shall retain all such records for a period of four years following completion of the Work and shall be available at reasonable times and places for inspection by authorized representatives of the City including the City Controller.

IV. SANCTIONS:

A. SUSPENSION PERIOD AND WAIVER

Pursuant to Section 15-86 of the Code of Ordinances, OBO is authorized to suspend any Contractor who has failed to make Good Faith Efforts for a period of up to, but not to exceed, five years.

B. GUIDELINES FOR IMPOSITION OF SANCTIONS

1. General:

- a.** OBO shall not impose any sanction except upon evidence of specific conduct on the part of a MWSBE or Contractor that is inconsistent with, or in direct contravention of, specific applicable requirements for Good Faith Efforts.
- b.** Imposition and enforcement of suspensions shall be consistent with applicable state law.

2. Severity of Sanctions:

- a.** In determining the length of any suspension, OBO shall consider the following factors:
 - (1)** Whether the failure to comply with applicable requirements involved intentional conduct or, alternatively, may be reasonably concluded to have resulted from a misunderstanding on the part of the Contractor or MWSBE of the duties imposed on them by Article V of Chapter 15 of the Code of Ordinances and these procedures;
 - (2)** The number of specific incidences of failure by Contractor or MWSBE to comply;
 - (3)** Whether the Contractor or MWSBE has been previously suspended;
 - (4)** Whether the Contractor or MWSBE has failed or refused to provide OBO with any information requested by OBO's Director or required to be submitted to OBO's Director pursuant to law or these procedures;
 - (5)** Whether the Contractor or MWSBE has materially misrepresented any applicable facts in any filing or communication to OBO; and
 - (6)** Whether any subsequent restructuring of the subject business or other action has been undertaken to cure the deficiencies in meeting applicable requirements.
- b.** Suspensions may be for any length of time not to exceed five years. Suspensions in excess of one year shall be reserved for cases involving intentional or fraudulent misrepresentation or concealment of material facts, multiple acts in contravention of applicable requirements, cases where the Contractor or MWSBE has been previously suspended, or other similarly egregious

conduct.

C. APPEALS

A decision to implement a suspension may be taken after notice and an opportunity for an informal conciliation conference with OBO and a hearing by the Contract Compliance Commission. Commission members shall not have participated in the actions or investigations giving rise to the suspension hearing.

D. NOTICE

1. Prior to imposing any suspension, OBO shall deliver written notice to the Contractor or MWSBE setting forth the grounds for the proposed suspension and setting a date, time, and place to appear for an informal conciliation conference with OBO, in addition to information regarding the appearance before the Contract Compliance Commission for a hearing on the matter.
2. Any notice required or permitted to be given hereunder to any Contractor or MWSBE may be given either by personal delivery or by certified United States mail, postage prepaid, return receipt requested, addressed to their most recent address as specified in the records of the Office of Business Opportunity or in the Contract, if no address is on file with the Office of Business Opportunity.

E. HEARING PROCEDURES

Proceedings before the Contract Compliance Commission shall be conducted in accordance with Section 15-23 of the Code of Ordinances. If the Commission, in a written decision, finds that a suspension is supported by the evidence presented, the Commission shall submit its recommendation to the Mayor and City Council.

ATTACHMENT A

**CITY OF HOUSTON
OFFICE OF BUSINESS OPPORTUNITY GOOD FAITH EFFORTS POLICY**

General Policy.

Good Faith Efforts are steps taken to achieve a Contract Goal or other requirements which, by their scope, intensity and usefulness demonstrates the bidder's responsiveness to fulfill the business opportunity objective prior to the award of a contract, as well as the contractor's responsibility to put forth measures to meet or exceed the Contract Goal(s) throughout the duration of the contract.

Good Faith Efforts are required to be made and demonstrated by an apparent successful bidder on goal-oriented contracts or proposer on a regulated contract prior to award of a contract. Good Faith Efforts are required on professional services and construction contracts and on procurement of goods and non-professional service contracts with goals. If a bidder, when submitting a participation plan at the time of bid or proposal submission, anticipates it cannot or will not meet the Contract Goal(s) prior to the award, the bidder must demonstrate to Office of Business Opportunity ("OBO") it has made Good Faith Efforts to meet the Contract Goal(s), to be eligible for the contract award.

Good Faith Efforts shall be evaluated on a case-by-case basis in making a determination whether a bidder or contractor is in compliance with this policy. The efforts employed by a bidder or contractor should be those that one could reasonably expect a bidder or contractor to take if the bidder or the contractor were actively and aggressively attempting to obtain MWSBE participation sufficient to meet the Contract Goal(s). Efforts taken that are mere formalities or other perfunctory acts shall not be considered Good Faith Efforts to meet Contract Goals.

The factors provided herein are representative of the types of actions OBO will consider in determining whether the bidder or contractor made Good Faith Efforts to obtain MWSBE participation to meet the Contract Goal(s). The list of factors described below are not intended to be a mandatory checklist, nor is it intended to be exhaustive or exclusive. OBO may consider other factors or types of efforts that may be relevant in appropriate cases.

If a bidder or contractor fails to submit Good Faith Efforts documentation as provided in this Policy, it waives the right to appeal OBO decisions related to this Policy. OBO will review all the efforts made by the contractor, including the quality and quantity of those efforts.

Pre-Award.

A bidder must submit a participation plan, Document 00470, to OBO at the time the bidder submits the bid. If the participation by certified MWBE Primes and MWSBE subcontractors documented on the participation plan ("participation") is less than the Contract Goal(s), a bidder should submit a "Record of Good Faith Efforts," Document 00471, with the bid. A

bidder should also submit a request for a deviation, using Document 00472, if the bidder, having used Good Faith Efforts, reasonably believes that it cannot meet the Contract Goal(s) or a commercially useful deviation.

In making a determination that the bidder has made a good faith effort to meet the Contract Goal(s), OBO shall consider specific documentation¹ concerning the steps taken to obtain MWSBE participation, with a consideration of, by way of illustration and not limitation, whether the bidder demonstrated a genuine effort to comply with the following factors:

1. Attended any pre-bid or pre-proposal meetings scheduled by the City Department;
2. Followed up with MWSBEs that attended the pre-bid or pre-proposal meetings to discuss subcontracting and supplier opportunities and contacted MWSBEs listed in the City's online directory;
3. Conducted outreach with minority and women focused organizations and associations far in advance of solicitation due date (no less than 14 business days);
4. Identified and designated portions of the work to be performed by MWSBEs to increase the likelihood of meeting the Contract Goals (including where appropriate breaking down the contract into reasonably sized subcontracts to ensure participation);
5. Advertised subcontracting opportunities in news media focused towards minority and women persons far in advance of solicitation due date;
6. Provided MWSBEs with a point of contact that was knowledgeable about the project and possessed decision-making authority to answer questions from interested MWSBEs;
7. Provided a reasonable number of MWSBEs certified with timely written notices via email, mail, and/or fax and/or with documented contact regarding the subcontracting/supplier opportunities. A "reasonable number of MWSBEs" shall be based on the number of MWSBEs available in the directory;
8. Solicited the MWSBEs within a reasonable amount of time (no less than seven business days) before bid submission, as well as followed up with the MWSBEs solicited to determine if they were interested in submitting a bid or proposal or participating on a team.
9. Provided interested MWSBEs certified to perform the solicited work with prompt

¹ A list of common supporting documentation that may allow Contractors to support their good faith efforts can be found on the Office of Business Opportunity website at www.houstontx.gov/obo.

- access to the plans, specifications, scope of work and requirements of the contract;
10. Negotiated in good faith with interested MWSBEs, and not rejecting MWSBEs as unqualified without sound reasons based on a thorough investigation of their capabilities;
 11. Entered into a formal contract, or signing enforceable letters of intent with MWSBEs;
 12. Provided an explanation to any MWSBE whose bid or price quotation is rejected, unless another MWSBE is accepted for the same work, as follows:
 - a. Where price competitiveness is not the reason for rejection, a written rejection notice including the reason for rejection will be sent to the rejected MWSBE firm;
 - b. Where price competitiveness is the reason for rejection, a meeting must be held with the price-rejected MWSBE, if requested, to discuss the rejection;
 13. Ensured that MWSBE Supplier participation did not account for more than 50% of the MWSBE participation plan.
 14. Made efforts to assist interested MWSBEs in obtaining bonding, lines of credit, insurance required for the contract, and documenting MWSBE denied by bona fide surety agents;
 15. Ensured that the conditions and requirements for subcontracts and supply agreements are commensurate with industry standards and would not cause an economic hardship on MWSBEs, such as unnecessary insurance or coupling bid bonds with retainage; and
 16. Incorporated efforts not attempted earlier or on previous bids that appear more likely to lead to attaining the Contract Goal. Past performance on similar contracts with similar scopes will also be taken in consideration when determining Good Faith Efforts. A bidder that continues to make same efforts without any significant change in the level of participation may not be making Good Faith Efforts.

Post-Award.

The contractor must sign the approved participation plan (Document 00470 or Document 00570) prior to starting work on the Project. A contractor should submit a request for deviation from OBO if the contractor, having made Good Faith Efforts, reasonably believes that it will not achieve the Participation Plan Percentage documented in the approved participation plan. If participation is less than anticipated in the approved participation plan, the contractor must submit supporting documentation evidencing their Good Faith Efforts. A contractor that fails to

submit a deviation request and Good Faith Efforts documentation waives the right to appeal OBO decisions related to this Policy.

If the contractor is awarded the contract and fails to achieve the established Participation Plan Percentage(s), the contractor must demonstrate to OBO its efforts to meet the Participation Plan Percentage(s) and failure to do so based on circumstances that the contractor could not reasonably control. In determining whether the contractor made Good Faith Efforts to ensure full participation and achievement of the Participation Plan Percentage, OBO shall consider the following factors:

1. Whether the contractor designated an MWSBE liaison officer to administer the Contractor's MWSBE programs and to be responsible for maintenance of records of Good Faith Efforts.
2. Whether the contractor furnished prompt MWSBE Utilization Reports in a timely and accurate manner through the online Contract Monitoring System or via hard copy.
3. Whether the contractor responded to efforts to resolve disputes with MWSBEs, and genuinely attempted to resolve these issues.
4. Whether the contractor disclosed payment discrepancies timely and within the monthly reporting period;
5. Whether the contractor complied with the participation plan, unless the contractor received a deviation from the OBO Director and whether upon approval, the contractor made Good Faith Efforts to replace a removed MWSBE with another certified firm;
6. Whether MWSBE Supplier participation accounted for more than 50% of the MWSBE participation plan;
7. Whether the contractor provided an explanation to any MWSBE whose price quotation was rejected due the following reasons:
 - Where price competitiveness was not the reason for rejection, a written rejection notice which includes the reason for rejection shall be sent to the MWSBE firm.
 - Where price competitiveness was the reason for rejection, a meeting must be held with the MWSBE firm, if requested, to discuss the rejection.
8. Whether the contractor furnished prompt written responses to written inquiries from the Director or any employee of OBO regarding the MWSBE's performance or information germane to the MWSBE's certification;
9. Whether the contractor ensured that at all times during the performance of any contract or subcontract the MWSBE firm is engaging in a commercially useful

function as that term is defined in Chapter 15 of the City of Houston Code of Ordinances;

10. Whether the contractor provided the OBO information, or other material, that was factually accurate and free of material misrepresentation;
11. Whether the contractor furnished prompt responses to requests for information, books and records needed to verify compliance from the department administering the Contract, the City Attorney and the City Controller;
12. Whether the contractor attended all meetings and mediation hearings as requested by the Director or his/her designee; and
13. How the contractor may be affected by change orders, with consideration given to the size of the change orders.

Change Orders.

The requirement to make Good Faith Efforts to achieve the approved Participation Plan Percentage is applicable to change orders. Contractors should make Good Faith Efforts to ensure that the Participation Plan Percentage remains substantially the same after the issuance of change orders. If a contractor cannot maintain substantially the same level of participation provided in the latest approved Participation Plan, the contractor shall submit Document 00572, "Post-Award Plan Deviation Request," to the OBO for review and potential approval. In addition to other relevant factors, in evaluating whether Good Faith Efforts were made by the contractor to meet the Participation Plan Percentage despite change orders, the OBO Director shall consider the contractor's efforts to timely and efficiently deliver the project.

END OF DOCUMENT

**SECTION 10 21 00
TOILET COMPARTMENTS**

PART 1 GENERAL

1.1 SECTION INCLUDES

- A. Solid plastic toilet compartments including the following: (Hiny Hiders)
 - 1. Floor mounted overhead-braced toilet compartments.
 - 2. Privacy screens.

1.2 RELATED SECTIONS

- A. Section 05 50 00 - Metal Fabrications.
- B. Section 06 10 00 - Rough Carpentry.

1.3 REFERENCES

- A. ASTM A 666 - Standard Specification for Stainless and Heat-Resisting Chromium-Nickel Steel Plate, Sheet, and Strip.
- B. ASTM B 221 - Standard Specification for Aluminum and Aluminum-Alloy Extruded Bars, Rods, Wire, Profiles, and Tubes.

1.4 SUBMITTALS

- A. Submit under provisions of Section 01 30 00 - Administrative Requirements.
- B. Product Data: Manufacturer's data sheets on each product to be used, including:
 - 1. Preparation instructions and recommendations.
 - 2. Storage and handling requirements and recommendations.
 - 3. Installation methods.
- C. Shop Drawings: Provide layout drawings and installation details with location and type of hardware required.
- D. Verification Samples: For each finish product specified, two samples representing actual product, color, and patterns.
- E. Sustainable Design Submittals:
 - 1. Recycled Content: Certify percentages of post-consumer and pre-consumer recycled content.
 - 2. Regional Materials: Certify distance between manufacturer and Project.

1.5 QUALITY ASSURANCE

- A. Manufacturer Qualifications: A company regularly engaged in manufacture of products specified in this section, and whose products have been in satisfactory use under similar service conditions for not less than 5 years.
- B. Installer Qualifications: A company regularly engaged in installation of products specified in this Section, with a minimum of 5 years experience.

- C. Materials: Doors, panels and pilasters, constructed from high density polyethylene (HDPE) resins. Partitions to be fabricated from polymer resins compounded under high pressure, forming a single component which is waterproof, nonabsorbent and has a self-lubricating surface that resists marks from pens, pencils, markers and other writing instruments. Cover all plastic components with a protective plastic masking.
- D. Performance Requirements:
 - 1. Antimicrobial Touch Surfaces: Hardware touch surfaces shall be manufactured from substrates that are registered with the U.S. EPA to kill specific bacteria tested according to U.S. EPA protocols.

1.6 DELIVERY, STORAGE, AND HANDLING

- A. Store products in manufacturer's unopened packaging until ready for installation.

1.7 PROJECT CONDITIONS

- A. Maintain environmental conditions (temperature, humidity, and ventilation) within limits recommended by manufacturer for optimum results. Do not install products under environmental conditions outside manufacturer's absolute limits.

1.8 WARRANTY

- A. Manufacturer guarantees its plastic against breakage, corrosion, and delamination under normal conditions for 25 years from the date of receipt by the customer. If materials are found to be defective during that period for reasons listed above, the materials will be replaced free of charge. Labor not included in warranty.

PART 2 PRODUCTS

2.1 MANUFACTURERS

- A. Acceptable Manufacturer: Scranton Products, which is located at: 801 E. Corey St.; Scranton, PA 18505; ASD Toll Free Tel: 800-445-5148; Fax: 855-376-6161; Email: [request info \(info@scrantonproducts.com\)](mailto:requestinfo@scrantonproducts.com); Web: <https://www.scrantonproducts.com>
 - 1. Fabricator: Santana Toilet Partitions.
 - 2. Fabricator: Comtec Toilet Partitions.
 - 3. Fabricator: Capitol Toilet Partitions.
- B. Requests for substitutions will be considered in accordance with provisions of Section 01 60 00 - Product Requirements. Substitution must meet or exceed specified basis of design product.

2.2 MATERIAL

- A. Plastic Panels: High density polyethylene (HDPE) suitable for exposed applications, waterproof, non-absorbent, and graffiti-resistant textured surface.
- B. Zinc Aluminum Magnesium and Copper Alloy (Zamac): ASTM B 86.
- C. Stainless Steel Castings: ASTM A167, Type 304.
- D. Aluminum: ASTM 6463-T5 alloy.

2.3 SOLID PLASTIC TOILET COMPARTMENTS

- A. Basis of Design: Hiny Hiders Toilet Partitions as manufactured by and supplied by Scranton Products.

1. Style: Floor mounted overhead-braced toilet compartments. Refer to plans.
- B. Doors, Panels, and Pilasters: 1 inch (25 mm) thick with all edges rounded to a radius. Mount doors and dividing panels based on height of specified system.
 1. Door and Panel Height: 66 inches (1676 mm). **NO PANEL SPLICING ALLOWED**
 2. Aluminum heat sink fastened to bottom edges.
 3. Door Design: Two panel side panel design.
 4. Panel Edge: Standard.
- C. Panel Color: Traditional series.
 1. Grey - Orange Peel.
- D. Pilaster Shoes: 3 inches (76 mm), 20 gauge stainless steel. Secured to pilasters with a stainless steel tamper resistant Torx head sex bolt.
- E. Headrail: Heavy-duty extruded 6463-T5 alloy aluminum with anti-grip design. Finish to be clear anodized. Fastened to headrail brackets with stainless steel tamper resistant Torx head sex bolt, and fastened at the top of the pilaster with stainless steel tamper resistant Torx head screws.
 1. Headrail Brackets: 20 gauge stainless steel with satin finish. Secured to the wall with stainless steel tamper resistant Torx head screws.
- F. Wall Brackets:
 1. Stainless Steel Brackets: Stainless steel type 304.
 2. Bracket Type: Stirrup stainless steel double ear.
- G. Door Hardware:
 1. Continuous Aluminum Hinge:
 - a. Length: 65 inches (1651 mm). **ENTIRE DOOR. NO SPLICING PANELS**
 2. Door Strike/Keeper: Heavy-duty extruded aluminum 6436-T5 alloy with a bright dip anodized finish. Secured to pilasters with stainless steel tamper resistant Torx head sex bolts. Bumper shall be made of extruded black vinyl.
 - a. Style: 65 inches (1651 mm) aluminum.
 3. Latch Mechanism: Occupancy Indicator Latch and Housing:
 - a. Material: Satin stainless steel.
 - b. Occupancy indicators: Green for occupied and red not occupied.
 - c. Slide bolt and button.
 4. Doors supplied with one coat hook/bumper and door pull made of chrome plated Zamak.
 5. Equip outswing handicapped doors with second door pull and door stop.

2.4 SOLID PLASTIC PRIVACY SCREENS

- A. Provide plastic privacy screens in urinal and entry toilet room applications as indicated or scheduled.
- B. Panels, and pilasters, if required, 1 inch (25 mm) thick with edges rounded to a radius. Screens to be mounted at 14 inches (356 mm) above the finished floor. Color as selected by Architect from manufacturer's full line of current colors.
 1. Aluminum heat sink fastened to bottom edges.
- C. Screen Type: Wall mounted.
 1. Urinal Screens: 18 inches (457 mm) wide by 55 inches (1397 mm) high.
- D. Wall Brackets: Extruded PVC plastic. Fastened to the panel/pilaster with stainless steel tamper resistant torx head screws and fastened to wall with stainless steel tamper resistant torx head sex bolts.

1. Length of Wall Brackets: 54 inches (1327 mm).

PART 3 EXECUTION

3.1 EXAMINATION

- A. Do not begin installation until substrates have been properly prepared.
- B. If substrate preparation is the responsibility of another installer, notify Architect of unsatisfactory preparation before proceeding.

3.2 PREPARATION

- A. Clean surfaces thoroughly prior to installation.
- B. Prepare surfaces using the methods recommended by the manufacturer for achieving the best result for the substrate under the project conditions.
- C. Examine areas to receive toilet partitions, screens, and shower compartments for correct height and spacing of anchorage/blocking and plumbing fixtures that affect installation of partitions. Report discrepancies to the architect.

3.3 INSTALLATION

- A. Install in accordance with manufacturer's instructions.
- B. Install partitions rigid, straight, plumb, and level manor, with plastic laid out as shown on shop drawings.
- C. Clearance at vertical edges of doors shall be uniform top to bottom and shall not exceed 3/8 inch (9.5 mm).
- D. No evidence of cutting, drilling, and/or patching shall be visible on the finished work.
- E. Finished surfaces shall be cleaned after installation and be left free of imperfections.

3.4 PROTECTION

- A. Protect installed products until completion of project.
- B. Touch-up, repair or replace damaged products before Substantial Completion.

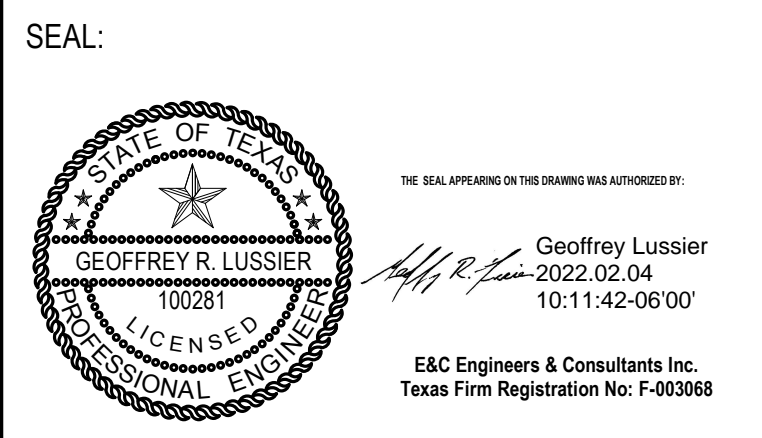
END OF SECTION

ISSUE LOG

NO.	DATE	DESCRIPTION
	12.01.2020	FOR PERMIT AND BID
1	02.04.2021	TDLR COMMENTS
2	02.04.2022	ADDENDUM #2

ARCHITECT:
English + Associates Architects, Inc
 1919 DECATUR HOUSTON, TEXAS
 77007 - 7636
 713.850.0400 T
 713.850.0411 F

CONSULTANT:
 Engineers
E & C
 Consultants
 1010 Lamar #650 Houston, TX 77002
 Tel (713) 580-8800 Fax (713) 580-8888 www.eceng.com
 TX Firm Registration No: F-003068



PROJECT NAME:
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 900 BAGBY STREET
 HOUSTON, TX, 77002



CITY OF HOUSTON

REVIEWED FOR SCOPE CONTENT
 GENERAL SERVICES DEPARTMENT

DEPUTY ASSISTANT DIRECTOR

SENIOR PROJECT MANAGER

OTHER APPROVALS

WATER ENGINEERING	TRAFFIC AND TRANSPORTATION
WASTEWATER ENGINEERING	STREET, BRIDGE, & ROW ENGINEERING
STORMWATER ENGINEERING	PLANNING & DEVELOPMENT

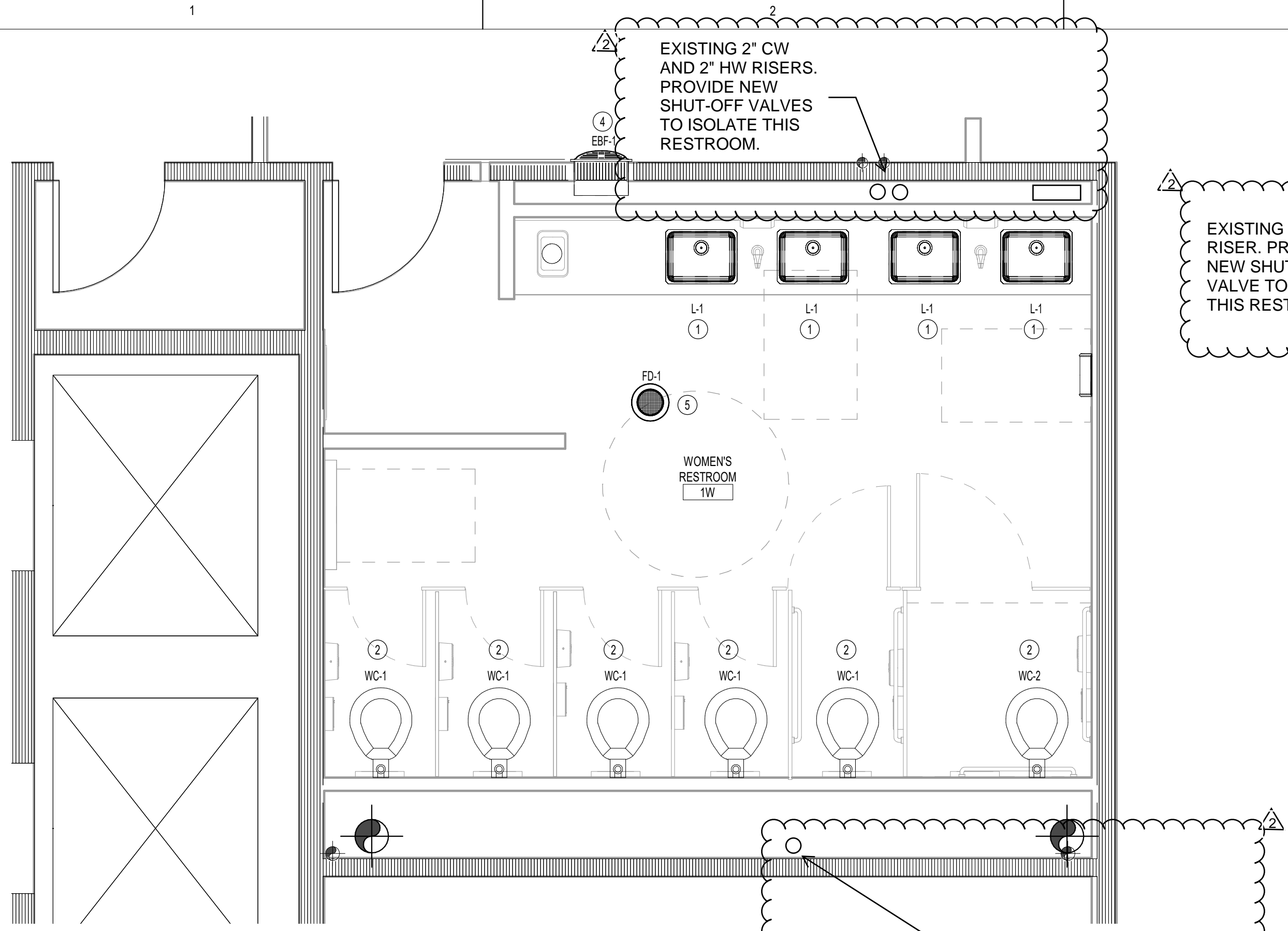
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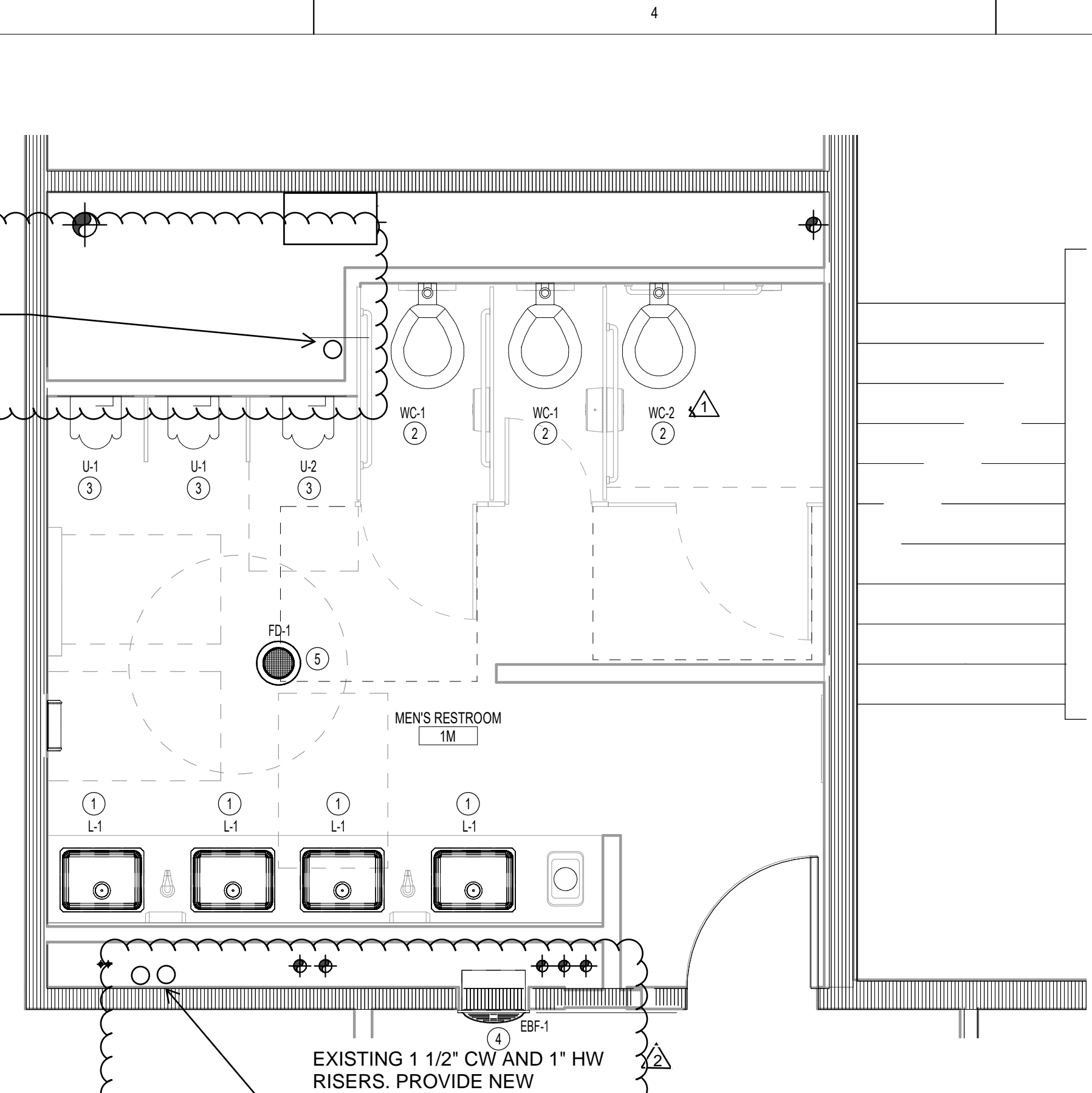
**PLUMBING PLANS
 LEVEL P & 1**

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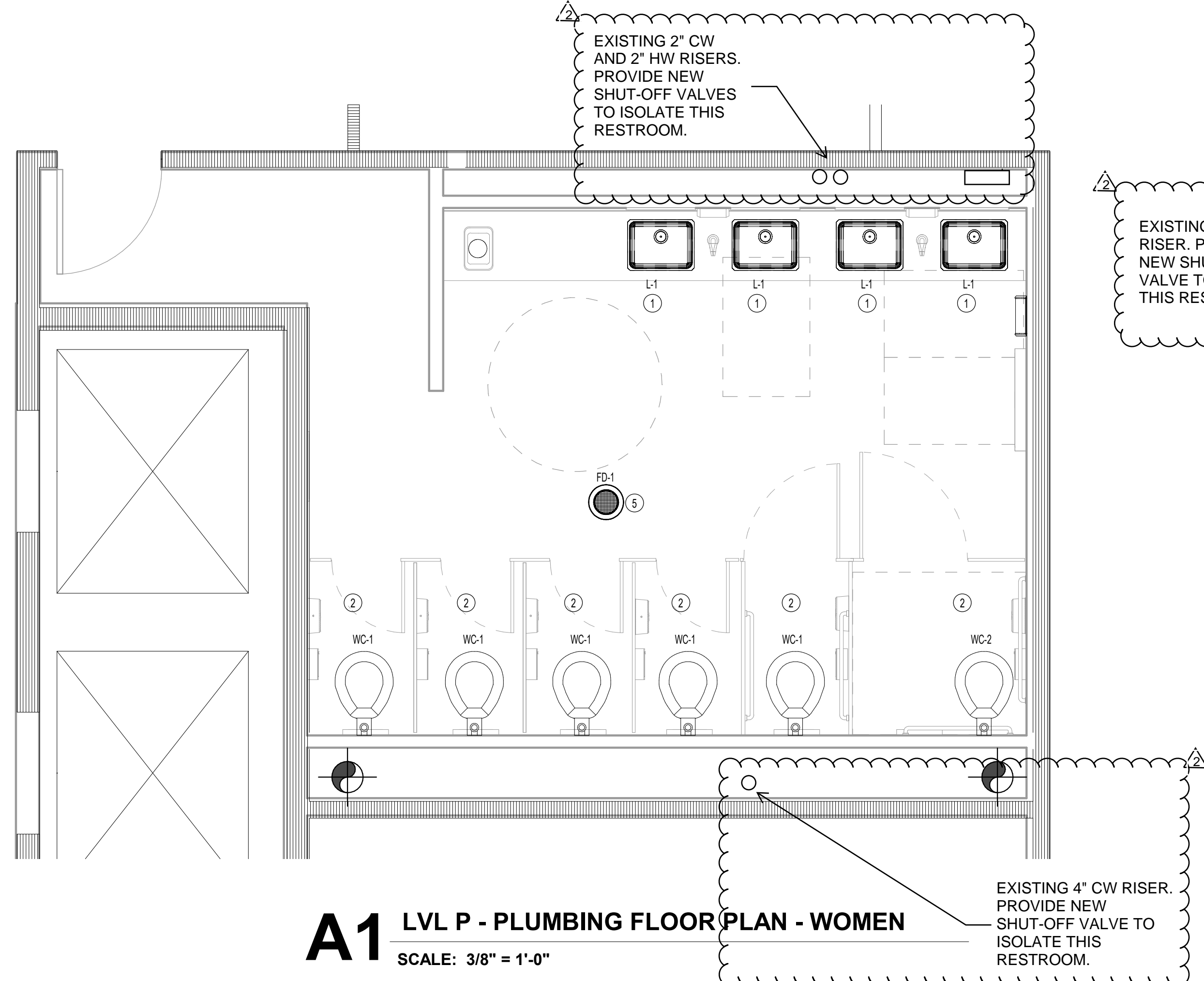
P101



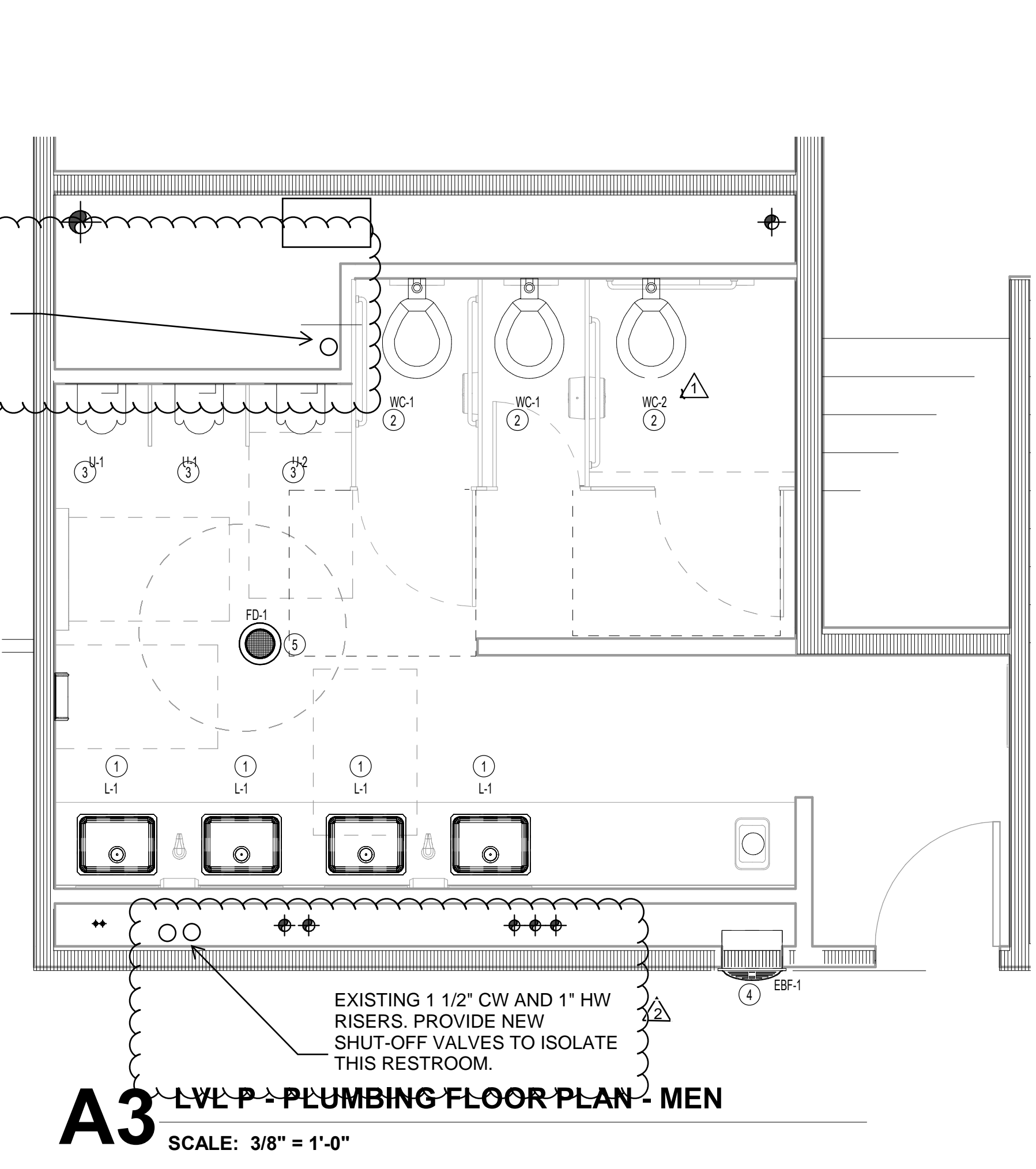
C1 LVL 1 - PLUMBING FLOOR PLAN - WOMEN
 SCALE: 3/8" = 1'-0"



C3 LVL 1 - PLUMBING FLOOR PLAN - MEN
 SCALE: 3/8" = 1'-0"

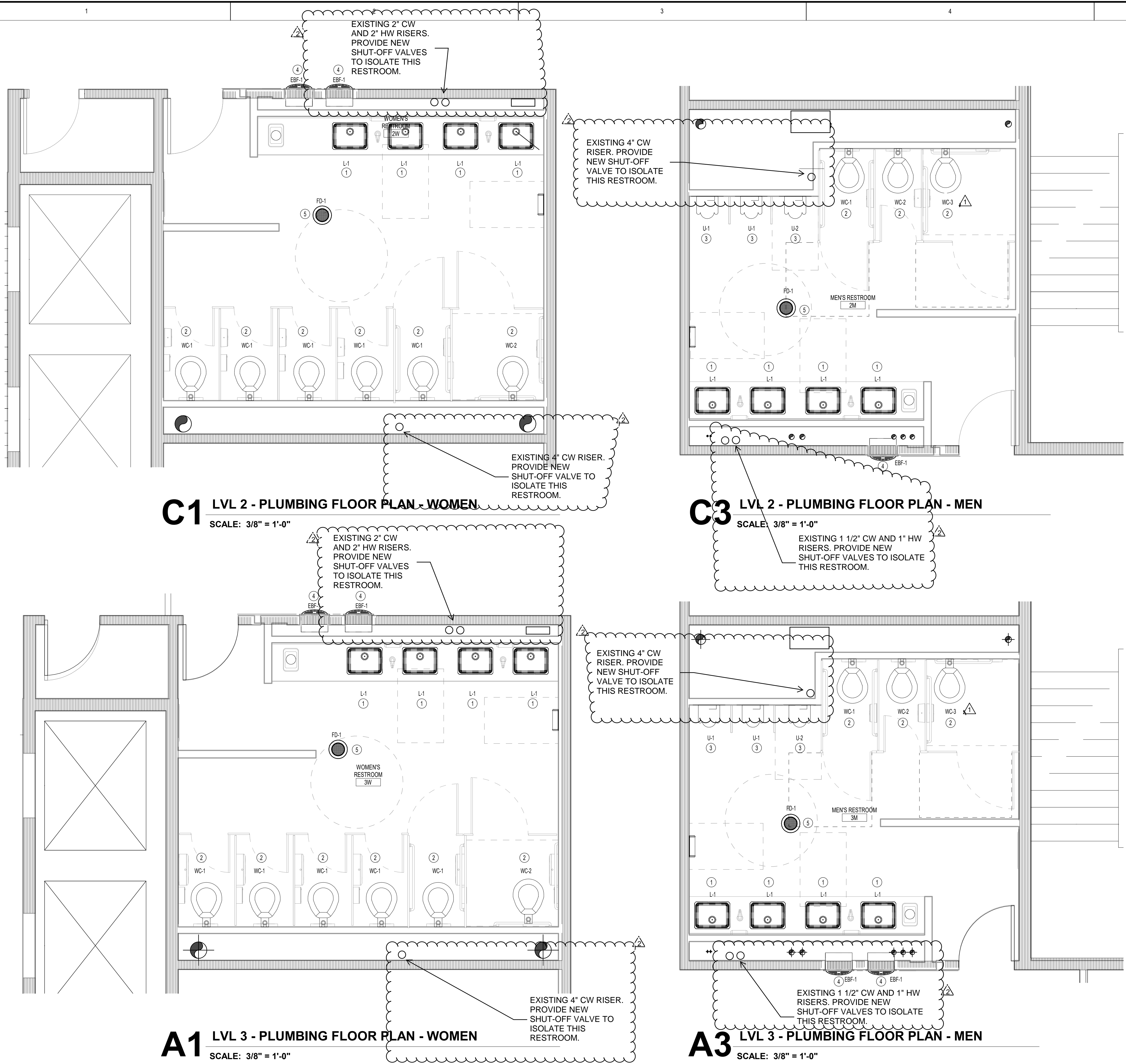


A1 LVL P - PLUMBING FLOOR PLAN - WOMEN
 SCALE: 3/8" = 1'-0"



A3 LVL P - PLUMBING FLOOR PLAN - MEN
 SCALE: 3/8" = 1'-0"

- DRAWING NOTES**
1. PROVIDE NEW LAVATORY AND RECONNECT NEW PLUMBING UTILITY SERVICES BACK TO EXISTING UTILITY STUB-OUTS.
 2. PROVIDE NEW WATER CLOSET AND RECONNECT NEW PLUMBING UTILITY SERVICES BACK TO EXISTING UTILITY STUB-OUTS.
 3. PROVIDE NEW WALL MOUNTED URINAL AND RECONNECT NEW PLUMBING UTILITY SERVICES BACK TO EXISTING UTILITY STUB-OUTS.
 4. PROVIDE NEW BOTTLE FILLING STATION AND RECONNECT NEW PLUMBING UTILITY SERVICES BACK TO EXISTING UTILITY STUB-OUTS.
 5. INSTALL NEW STRAINER ON THE EXISTING FLOOR DRAIN.



C1 LVL 2 - PLUMBING FLOOR PLAN - WOMEN
SCALE: 3/8" = 1'-0"

C3 LVL 2 - PLUMBING FLOOR PLAN - MEN
SCALE: 3/8" = 1'-0"

A1 LVL 3 - PLUMBING FLOOR PLAN - WOMEN
SCALE: 3/8" = 1'-0"

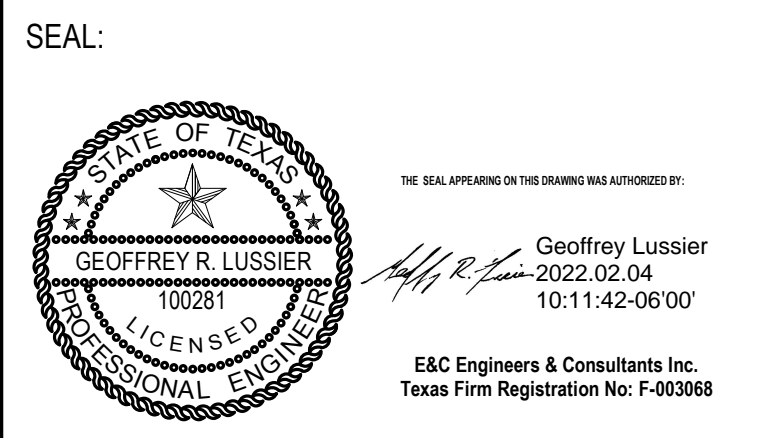
A3 LVL 3 - PLUMBING FLOOR PLAN - MEN
SCALE: 3/8" = 1'-0"

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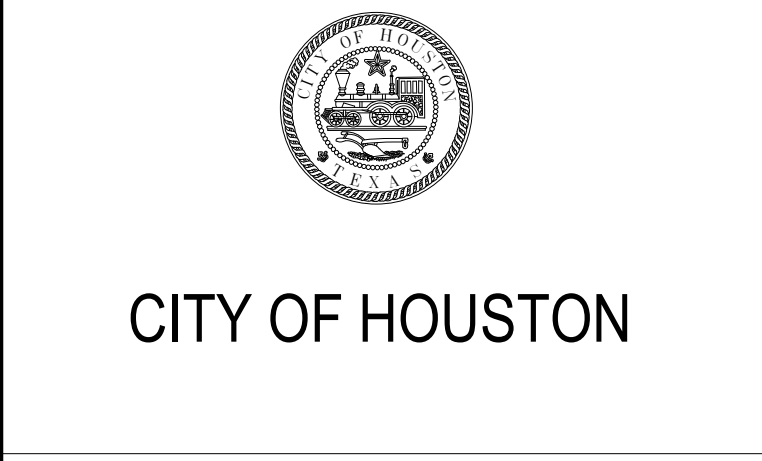
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 77007 - 7636
 713.850.0400 T
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E & C
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SENIOR PROJECT MANAGER

OTHER APPROVALS

WATER ENGINEERING TRAFFIC AND TRANSPORTATION

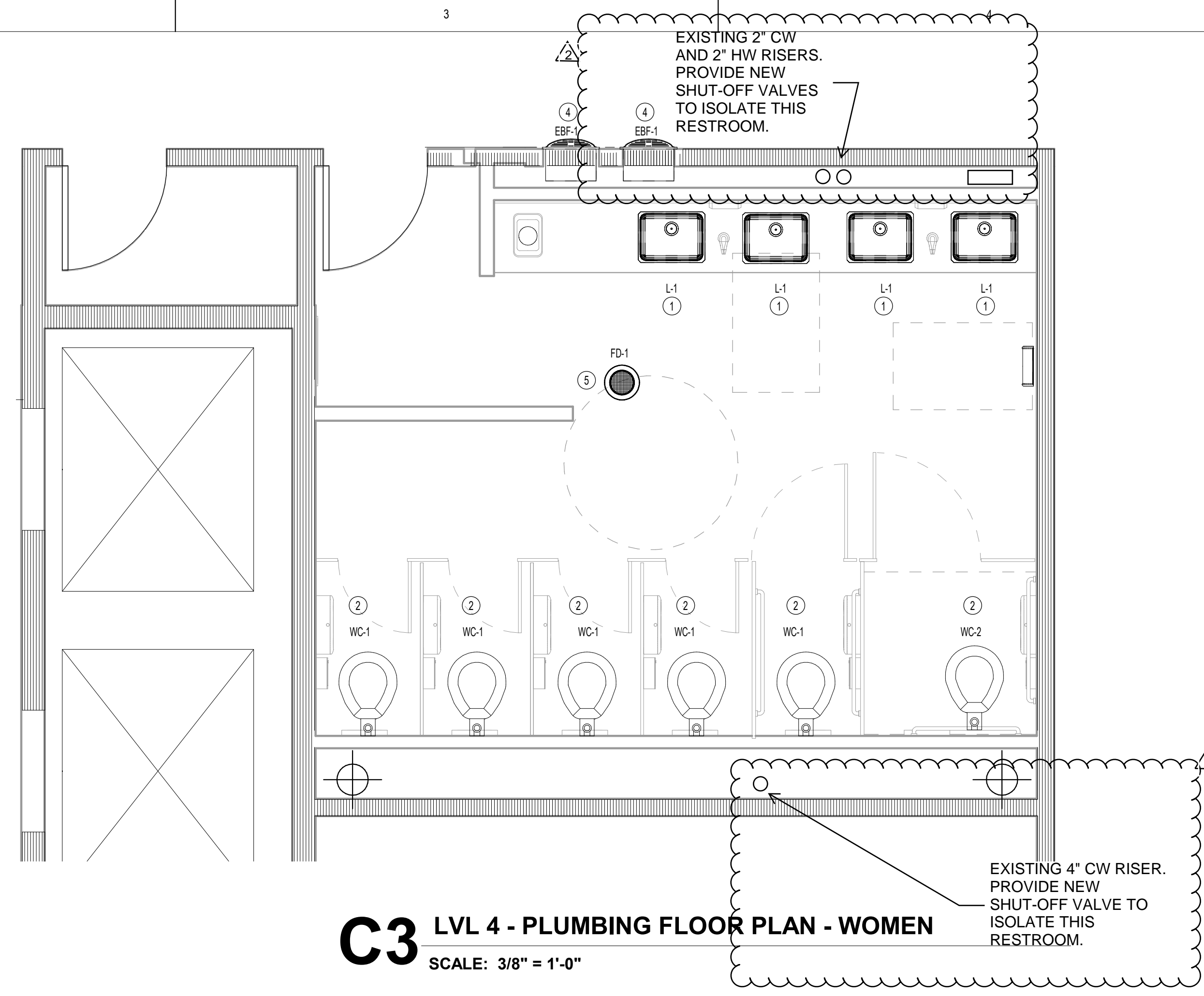
WASTEWATER ENGINEERING STREET, BRIDGE, & ROW ENGINEERING

STORMWATER ENGINEERING PLANNING & DEVELOPMENT

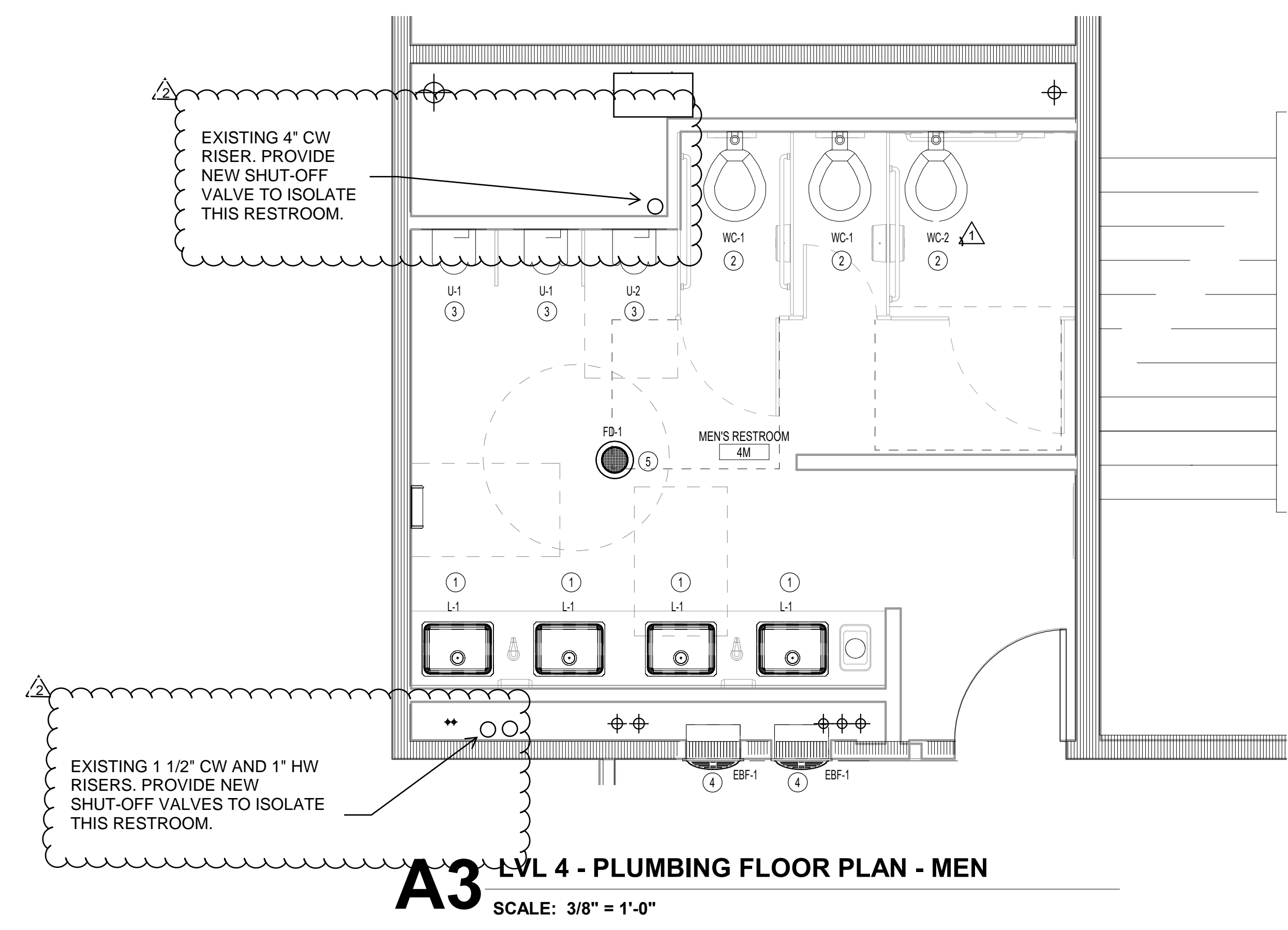
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 CHECKED BY: Checker

SHEET NAME:
PLUMBING PLANS LEVEL 2 & 3

SHEET NO:
P102



C3 LVL 4 - PLUMBING FLOOR PLAN - WOMEN
SCALE: 3/8" = 1'-0"



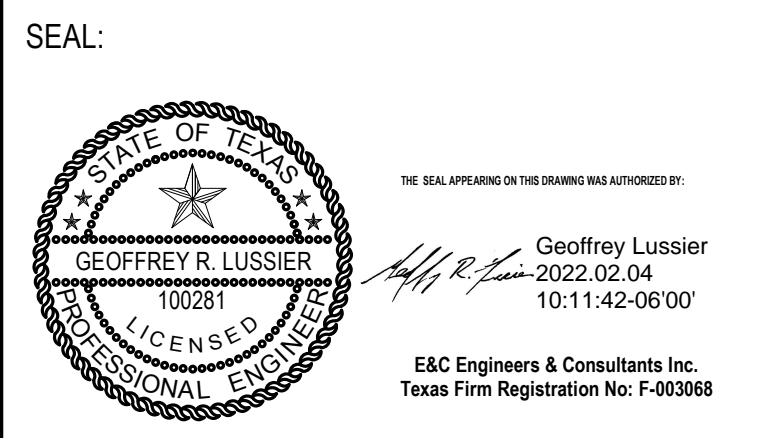
A3 LVL 4 - PLUMBING FLOOR PLAN - MEN
SCALE: 3/8" = 1'-0"

- DRAWING NOTES**
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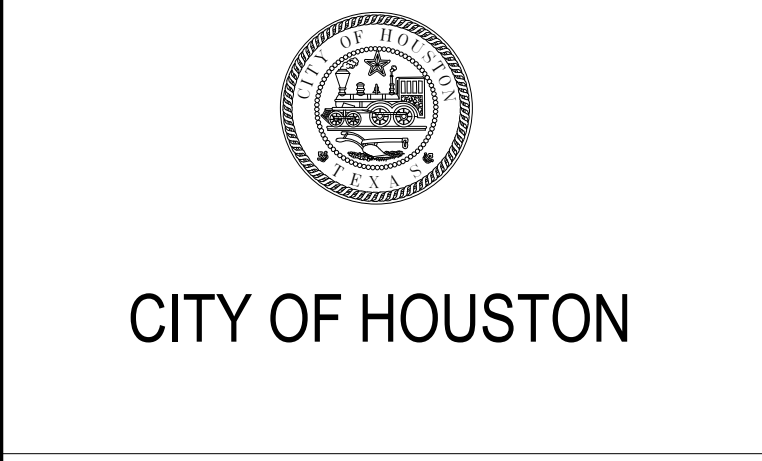
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 77007 - 7636
 713.850.0400 T
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SHEET NAME:
PLUMBING PLANS - LEVEL 4

SHEET NO:
P103

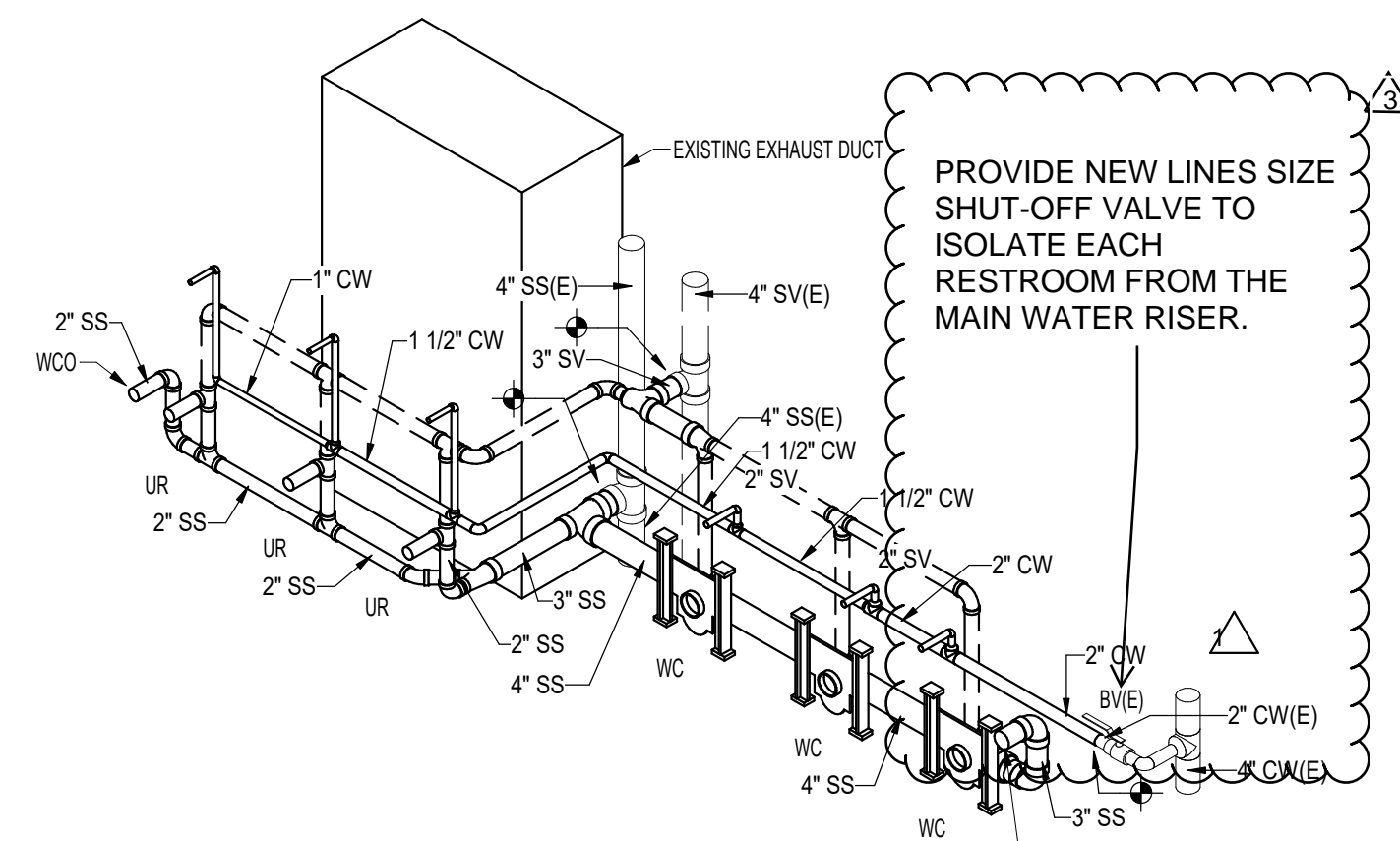
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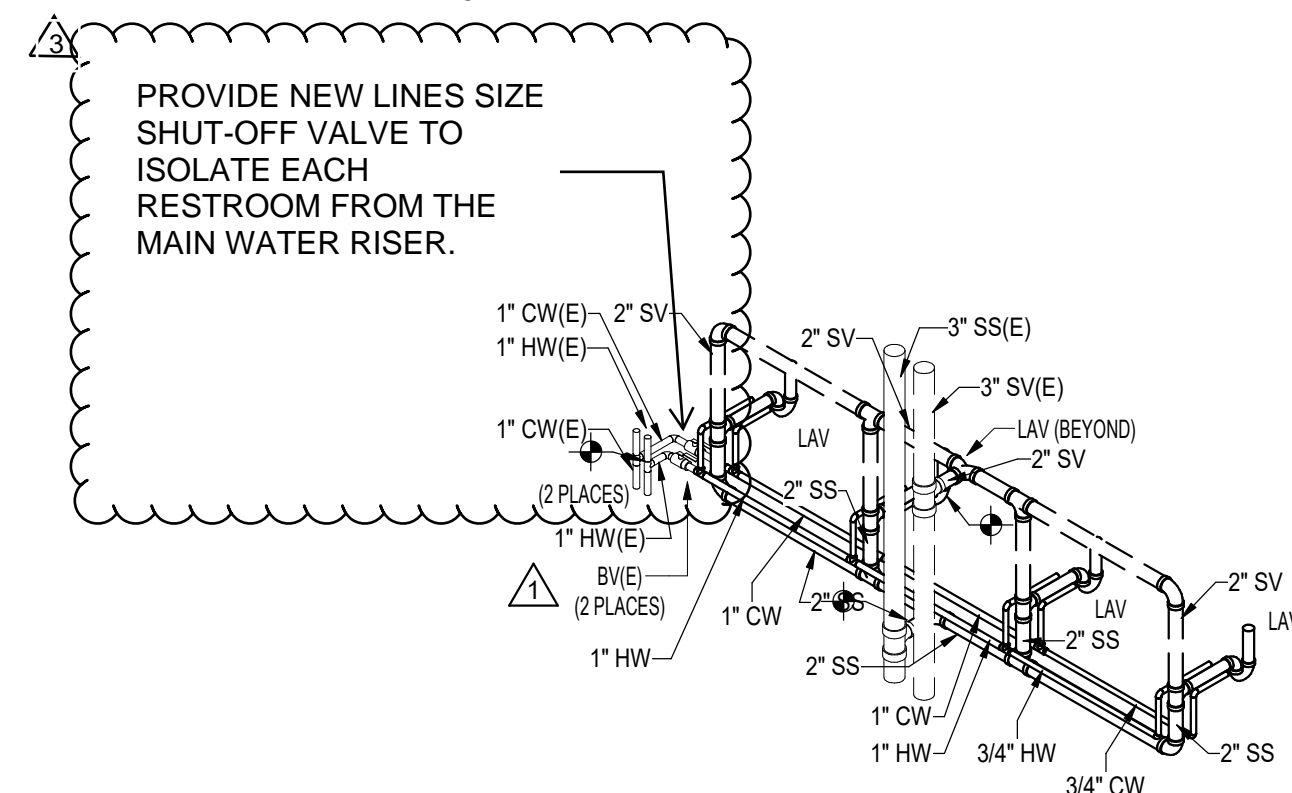
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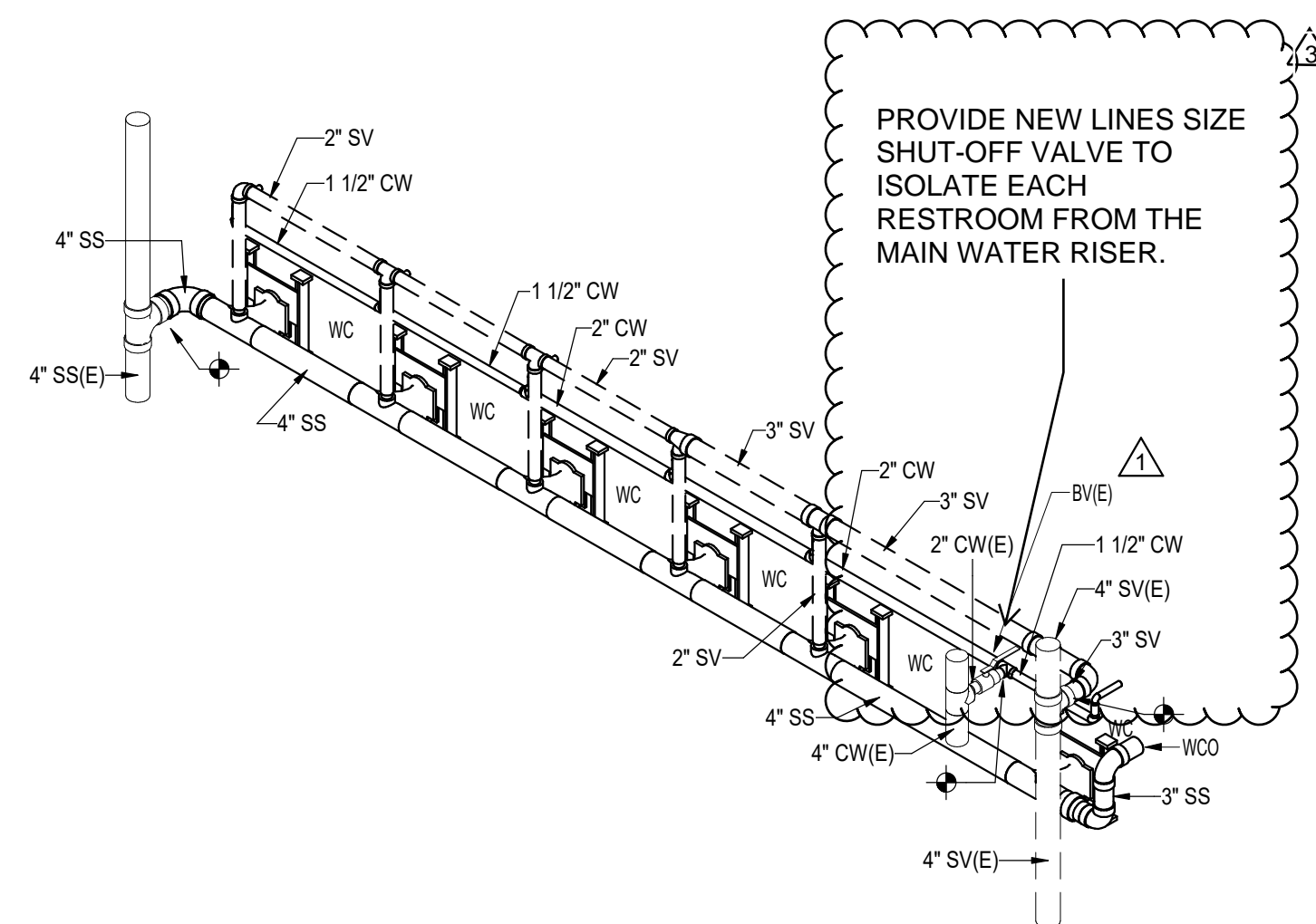
1 PLUMBING RISER - MEN RR (TYPICAL)

SCALE: N.T.S.



2 PLUMBING RISER - MEN RR LAVS (TYPICAL)

SCALE: N.T.S.



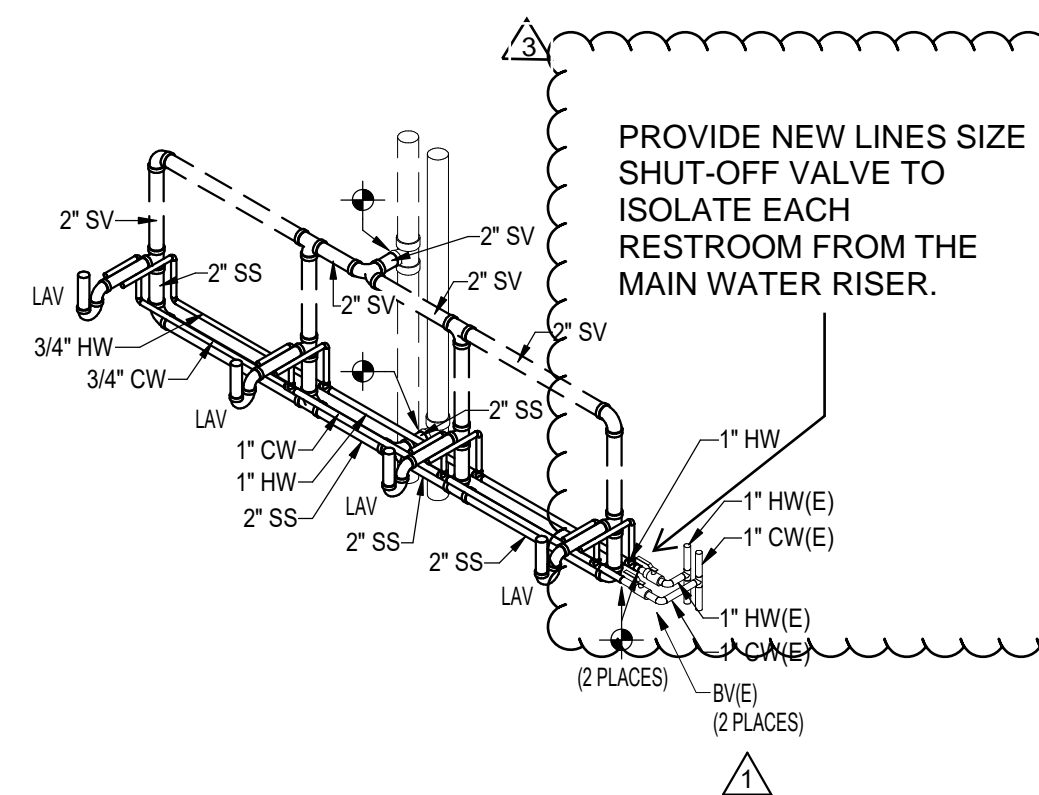
3 PLUMBING RISER WOMENS RR WATER CLOSETS (TYP)

SCALE: N.T.S.

PLUMBING FIXTURE SCHEDULE								
MARK	FIXTURE	PROVIDE THE FOLLOWING SIZE BRANCH CONNECTION TO THE DISTRIBUTION MAIN UNLESS OTHERWISE SPECIFIED				REMARK	SPECIFICATIONS	
		CW	HW	SS	VENT			
WC-1	WATER CLOSET	1"	-	4"	2"	1.28 GPF	INTEGRAL	WATER CLOSET: AMERICAN STANDARD "AFWALL" MODEL NO. 3351-101, WALL HUNG ELONGATED WITH TOP SPUD FLUSH VALVE: ZURN, MODEL NO. "AQUASENSE" ZENS6000AV-HET-1S-MOB, AC POWERED, SENSOR OPERATED WITH MANUAL OVERRIDE BUTTON AND 1.28 GPF SEAT: OLSONOTE MODEL NO. 95-SSC, WHITE OPEN FRONT SEAT WITH CONCEALED S.S. CHECK
WC-2	WATER CLOSET ADA	1"	-	4"	2"	1.28 GPF	INTEGRAL	SAME AS WC-1, EXCEPT, MOUNT AT HANDICAPPED MOUNTING HEIGHT, WITH THE FLUSH HANDLE TO THE WIDE SIDE OF THE STALL.
U-1	URINAL	3/4"	-	2"	2"	0.125 GPF	INTEGRAL	URINAL: AMERICAN STANDARD "DECORUM" MODEL NO. 6042-001, WALL HUNG WITH TOP SPUD FLUSH VALVE: ZURN, MODEL NO. "AQUASENSE" ZENS6000PL-6S, AC POWERED, SENSOR OPERATED, 0.125 GPF.
U-2	URINAL ADA	3/4"	-	2"	2"	0.125 GPF	INTEGRAL	SAME AS U-1, EXCEPT, MOUNT AT HANDICAPPED MOUNTING HEIGHT.
L-1	ADA LAVATORY	1/2"	1/2"	2"	2"		HAND WASH UNDER COUNTER 1-1/4"	LAVATORY: AMERICAN STANDARD "STUDIO" MODEL NO. 0614-000, VITREOUS CHINA, UNDER COUNTER MOUNT WITH SINGLE FAUCET HOLE. NOMINAL DIMENSIONS ARE 19.75"x13.75", BOWL SIZE 18"x12". FAUCET: KOHLER MODEL NO. "GEOMETRIC" K-7516, SINGLE HOLE, SENSOR OPERATED, HYBRID ENERGY CELL POWERED, HAND WASH FAUCET. STOP: MCGUIRE MODEL NO. LFHST02LKS8-1/2" IPS x 3/8" OD, LOOSE KEY WITH 3/8" FLEXIBLE RISER CONNECTION. MIXING VALVE: LAWLER MODEL NO. TMM-1070, UNDER COUNTER MIXER TO PREVENT SCALDING. P-TRAP: MCGUIRE MODEL NO. 8872, 1.25" x 1.25" STRAINER: MCGUIRE MODEL NO. 1551WC, PERFORATED STRAINER WITH 1.25" TAILPIECE.
EBF-1	ELECTRIC BOTTLE FILLER	1/2"	-	2"	1-1/2"		WALL MOUNT 1-1/4"	ELKAY MODEL NO. LZ58WC, WALL HUNG ELECTRIC REFRIGERATED WATER COOLER WITH FILTER, SINGLE BOWL, PROVIDING 8 GPH OF 50" WATER, WITH MODEL NO. EZ2620 BOTTLE FILLING STATION. REFER TO THE ARCHITECTURAL DRAWINGS FOR THE EXACT MOUNTING HEIGHT.
FD-1	FLOOR DRAIN	-	-	EXISTING	EXISTING	7" SQUARE	RE: PLANS	J.R. SMITH PROVIDE NEW 7" SQUARE NICKEL BRONZE GRATE TO FIT MODEL NO. 2005 CAST IRON DRAIN BODY.

** PROVIDE ALL FLOOR DRAINS AND FLOOR SINKS WITH THE APPROPRIATELY SIZED TRAP GUARD, MANUFACTURED BY PROSEAL.

SHOCK ARRESTOR SCHEDULE			
SYMBOL	DESCRIPTION	F.D.I. FIXTURE UNIT RATING	TYPE NO. PPP
SA-A	SHOCK ARRESTOR	1-11	SC-500
SA-B	SHOCK ARRESTOR	12-32	SC-750
SA-C	SHOCK ARRESTOR	33-60	SC-1000
SA-D	SHOCK ARRESTOR	61-113	SC-1250



4 PLUMBING RISER WOMENS RR LAVS (TYP)

SCALE: N.T.S.

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ARCHITECT:
English + Associates Architects, Inc
1919 DECATUR
HOUSTON, TEXAS
77007 - 7636
713.850.0400 T
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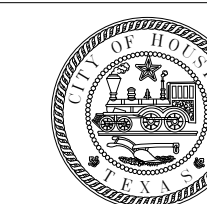
CONSULTANT:
E & C
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SEAL:



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CHECKED BY: Checker

SHEET NAME:

PLUMBING SCHEDULES, DETAILS, AND RISERS

SHEET NO:

P601

1/6/2022 4:08:52 PM