

**ACTION ITEM  
BOARD MEETING  
May 12, 2009**

**TOPIC: AUTHORIZATION TO NEGOTIATE AND ENTER INTO  
CONTRACT WITH A GENERAL CONTRACTOR FOR THE 2007  
CAPITAL IMPROVEMENT PROGRAM BID PACKAGE #049  
(FWISD RFCSP #09-097)**

**BACKGROUND:**

The process of advertising and releasing a Request for Competitive Sealed Proposals #09-097 for the construction of the 2007 CIP Bid Package #049 has been completed.

BP #049 includes the following projects:

TEA #229 – Hazel Harvey Peace Elementary School – New Construction

Proposals have been received, opened, and reviewed for completeness and validity.

RFCSP Statistics

Proposals requested: Open

Proposals received: 16

HUB Firms: 2

Compliant proposals: 16

The Evaluation and Selection Committee members have completed their evaluation of the proposals and have collectively ranked the Proposers according to the scoring of their proposals utilizing the published evaluation criteria. The Procurement Record Memo containing detailed information is attached to this Action Item for the consideration of the Board. The list of top ranked Contractors follows:

1. Thos. S. Byrne, Ltd.
2. Ratcliff Constructors, LP
3. Steele & Freeman, Inc.

The Capital Improvement Program (CIP) seeks authorization from the Board to proceed with formal negotiations with the best value Contractor. Should the first ranked Contractor decline or otherwise fail to enter into an agreement, the CIP shall formally end negotiations and proceed into negotiations with the next ranked Contractor, until an agreement is reached or the contract will be rebid.

Furthermore, the CIP seeks authorization from the Board to enter into an agreement with a General Contractor upon conclusion of successful negotiations. In accordance with the District's HUB expectation, for this contract HUB participation is requested at 25% of the contract amount

**ALTERNATIVES:**

1. Authorize the CIP to negotiate and enter into contract with a General Contractor for 2007 CIP Bid Package #049.
2. Decline to authorize the CIP to negotiate and enter into contract with a General Contractor for 2007 CIP Bid Package #049.
3. Remand to CIP staff for further study.

**SUPERINTENDENT'S RECOMMENDATION:**

Authorize the CIP to negotiate and enter into contract with a General Contractor for 2007 CIP Bid Package #049.

*Board approved  
Superintendent's  
recommendation.*

**FUNDING SOURCE:**

Capital Improvement Program Funds

*J. Khan  
5/15/09*

**COST:**

Not to Exceed \$12,043,481.00

**RATIONALE:**

On January 22, 2008, the Board of Education authorized the District to use competitive sealed proposals (CSP) as the procurement method for projects in conjunction with the 2007 Capital Improvement Program. The CSP statutes for Texas were used to select the best value Contractor and will be used to negotiate and enter into a contract to provide these construction services.

On November 20, 2008, the Board of Education approved the Standard Form of Agreement and General Conditions for Construction. This approved template will be used to contract for these services. The negotiation and execution of this contract will follow the procedures established by Board policy and law.

**INFORMATION SOURCES:**

Walter Dansby  
Robert Palmer

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**CSP EVALUATION RECORD MEMO**

**TO:** Procurement Record Document - 2007 Capital Improvement Program  
BP # - 049 (RFCSP #09-097)  
  
TEA 229 – Hazel Harvey Peace Elementary School

**RE:** Advisory Ranking and Procurement Time Line

**FROM:** Jim Kram, CIP General Business Manager

**PREPARED BY:** Ray Castillo, AECOM Controls Manager

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*(The procurement record is listed in reverse order, with the newer entries at the top).*

Evaluation Committee Members:

A/E Representative: Eric Claycamp, Hahnfeld Hoffer Stanford  
CIP Senior Construction Officer: Robert Palmer  
CIP HUB Specialist: Brenda Adams  
CIP Safety Manager: Rene Rodriguez  
AECOM Project Manager: Danilo Lopez  
AECOM Safety Coordinator: Abraham Gonzalez  
AECOM HUB Coordinator: Crystal Padilla  
AECOM Controls Manager (Financial): Ray Castillo

Non-Scoring:

AECOM Program Director: Conan Mathson  
CIP General Manager: Jim Kram  
CIP Auditor: Gregory Miller  
CIP Contract Administrator: Diana Thompson

**DATE: May 6, 2009**

Evaluation Memo Review completed and included in the Board Agenda.

**DATE: May 6, 2009**

Evaluation memo completed by AECOM Controls Manager and forwarded to CIP General Manager for review.

**DATE: May 6, 2009**

The Evaluation Committee (CIP Auditor, CIP Senior Construction Officer, AECOM Program Director, and AECOM Controls Manager) reconvened at 1:30 PM to review the final rankings.

**DATE: May 6, 2009**

The Evaluation Committee convened at 11:00 AM to review the scores and correct any discrepancies in the scoring between the Evaluation Committee Members. No major discrepancies were found.

The resulting ranking is follows:

**BP # 049**

- 1<sup>st</sup> Thos. S. Byrne, Ltd.
- 2<sup>nd</sup> Ratcliff Constructors, LP
- 3<sup>rd</sup> Steele & Freeman, Inc.

The Contract Sum not to exceed, as a cap in negotiations for Bid Package #049 is: \$12,043,481.00

**DATE: May 4, 2009**

Bid tabulation form was posted on the FWISD website, which includes information regarding all proposals submitted.

**DATE: April 29, 2009**

Proposals were received from sixteen (16) contractors with pricing, opened and publicly read at 2:00 PM. It was noted to the attendees whether it appeared each proposal contained a signed proposal bond and each cost proposal was signed. It was further noted that pricing was 45% of the evaluation, and all items submitted were subject to verification.

**DATE: April 29, 2009**

Proposal Part 2 was due and received at 2:00 pm.

**DATE: April 28, 2009**

Proposal Part 1A and Proposal Part 1B were due and received at 2:00 pm (and 3:00 pm, respectively).

**DATE: April 23, 2009**

Addendum #02 was issued.

**DATE: April 20, 2009**

Addendum #01 was issued.

**DATE: April 16, 2009**

Pre-proposal meeting held at 9:00 am at the FWISD Board Room, 2903 Shotts Street, Fort Worth, TX 76107.

**DATE: April 13, 2009**

Second legal ad runs.

**Fort Worth ISD Capital Improvement Program**  
2821 Cullen Street, Fort Worth, Texas 76107  
OFFICE 817.317.7700 FAX 817.317.7780  
www.fwisd.org



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**DATE: April 6, 2009**

First legal ad runs. Documents available for purchase or for deposit from Reprographics of Fort Worth; 2220 W. Peter Smith, Fort Worth, Texas 76102, and were on file at various plan rooms and chambers of commerce.

*[End]*