

RFP 16-04 Questions & Answers

1. Can you give me a brief description of the scope of work.

A description of the scope of work is available in the RFP in the scope of work and Appendix B.

2. On page 36 of 71, the following is stated:

“Respondents must visit <http://info.thegordiangroup.com/JOC-CORE-NIPA.html> to request additional information and pricing for the Gordian Job Order Contracting Core system, and to purchase access for the purpose of reviewing unit prices and developing coefficients.” Could TCPN please confirm that prospective bidders must pay to access the bid data or information in order to review and/or develop a coefficient? The data is essentially part of the bid specifications and access is necessary to develop a proposal. Is the fee refundable if one does not submit a proposal? Thank you in advance for clarification.

Representatives of The Gordian Group will be present and available at the pre-proposal conference that has been scheduled for this RFP to clarify any questions prospective vendors may have about their UPB. All questions answered at the pre-proposal conference will be published to this Questions and Answers page after the conference.

3. Can we just get at least a summary right away of the following so we know at a glance and not go through a long process to know what these are about?

RFP # 16-04 – Job Order Contracting (JOC) Services in Texas

RFQ # 16-05 – Job Order Contracting (JOC) Services in Arizona

This way we also save time because we’ll get an idea if this is something we can do. Maybe we can eliminate some of the steps just to find out about these 2 items above.

Please review the scope of work and Appendix B for descriptions of the services being requested.

Summaries are not available.

4. Is this for General Contractor JOC services or is there a specific floor covering related component?

There is not a specific floor covering related component to this RFP.

5. I am wondering if there is any information available on the actual project in the RFP. I would like to know the scope of work prior to attending the pre-proposal conference on 5/24.

This RFP is not for a specific project. This RFP is for indefinite quantity/indefinite delivery of services through the Job Order Contract delivery method throughout the state of Texas.

6. Will there be any operable partitions, accordions, moveable glass wall, Vertical lift walls or Hydraulic Bi-fold doors on this project?

This RFP is not for a specific project. This RFP is for indefinite quantity/indefinite delivery of services through the Job Order Contract delivery method throughout the state of Texas.

7. If a vendor has a relationship with a Region 4 employee or Board Member, does that preclude the vendor from bidding?

No, but those relationships must be properly disclosed in the vendor's 1295 form that it submits to the state (Required Document #6 in Appendix H).

8. How would addition of price books be evaluated if no coefficient has been submitted?
Region 4 ESC will evaluate its options for doing so if it decides to add a price book during the course of the contract.

9. Is this a two-step process?
No.

10. Should the administrative fee be calculated into our coefficient?
Yes, the administrative fee does need to be included in your coefficient.

11. Is the RS Means software online?
Yes it is.

12. So if you take one of your existing RS Means quote and plug it into the new software, will it come out the same?
The bare cost will come out the same, however the RSM Construction Procurement Catalog includes new modifiers that may be appropriate for the proposal which may change the end cost.

13. Are the modifiers integrating CTC?
The modifiers are similar to the way modifiers are used in the Construction Task Catalog®. However, because the unit tasks in the RSMMeans Construction Procurement Catalog(TM) are different from those in the CTC, the modifiers are not an exact match in all cases.

14. So the base price and description is the same from RS Means, but new modifiers might change the end price.
Yes.

15. How do we access the software?
Click on the link in the RFP given in Appendix C or copy/type the URL into your address bar. A 30 day license is available for this RFP. The cost for that is \$329.

16. What is the cost if you win a contract?
Annual subscription fees are as follows:

- *\$2,250 per contract, which provides access to the specific dataset with the awarded coefficients.*
- *\$1,700 for the first named user.*
- *Additional named users are \$1,530 each.*

17. Anything that is not reimburseable through the cost catalogue needs to be independently factored into the coefficient?
Yes.

18. Will the 30 day cost be credited to successful vendors?
Yes.

19. How quickly do you get access once you pay?
Instantaneously once the credit card payment has been authorized.

20. Is [the UPB] ready to go today?

Yes.

21. So is the bond still a pass-through cost?

Yes.

22. What page is Gordian's contact info on?

The link can be found in Appendix C of the contract. Please fill your information in on that page and Gordian Group will contact you.

23. Are current contracts using this UPB?

This is the first cooperative contract to use it, but it has been used successfully in individual jobs

24. Why are we putting the City Cost Index in the proposal for Houston?

Because there have been past issues with vendors using the correct CCI.

25. If we were doing work in DFW under this contract would we use the Houston City Cost Index?

No, you would use the CCI appropriate to the locale where work is being performed.

26. Is Region 4 deeming contractors non-responsive if vendors fill out the 1295 form wrong?

Not yet, since this is a new procedure from the state.

27. Also, may we please have a copy of the prebid questions/answers? Or will they be posted soon?

Please see Questions 7-26 for all questions and answers from the pre-proposal conference.

28. May we please have an answer to this question that another bidder asked prior to the prebid?

On page 36 of 171, the following is stated: "Respondents must visit

<http://info.thegordiangroup.com/JOC-CORE-NIPA.html> to request additional information and pricing for the Gordian Job Order Contracting Core system, and to purchase access for the purpose of reviewing unit prices and developing coefficients." Could TCPN please confirm that prospective bidders must pay to access the bid data or information in order to review and/or develop a coefficient? The data is essentially part of the bid specifications and access is necessary to develop a proposal. Is the fee refundable if one does not submit a proposal? Thank you in advance for clarification.

Please see answer to Question #2.

29. Will the sign-in sheet for the pre-bid meeting be posted to the website?

No.

30. Do we obtain a Certified Proposal Number and submit it with the bid? Or is this for after award?

The Certified Proposal Number process is for registering and performing jobs after award.

31. I did not find the Pre-proposal conference questions and answers on the www.tcpn.org under solicitations. May we please have a copy of the minutes (which hopefully will answer some of our questions regarding the access fee)?

Please see Questions 7-26 for all questions and answers from the pre-proposal conference.

32. Please confirm if the prospective bidder must pay to access the bid data to submit a proposal or if that is something done upon award.

Please see Questions 7-26 for all questions and answers from the pre-proposal conference. Also, please contact The Gordian Group for information regarding the UPB.

33. I attended the TCPN pre-proposal conference on May 24. I remember you saying during the conference that you were going to send out minutes from the conference. Has this been done yet? *Yes, please see Questions 7-26 for all questions and answers from the pre-proposal conference.*

34. The first paragraph on Page 8 of 171 refers to “RS Means Cost Catalogs”. Will other RS Means Cost Catalogs be used besides the RS Means Construction Procurement Catalog listed on Page 36 of 171? If, yes, specifically which other RS Means Cost Catalogs will be utilized?

It is Region 4's understanding that the RSMeans Construction Procurement Catalog has unified the RSMeans books that previously had been used. Therefore there will be no other RSMeans Cost Catalog book to use.

35. Please, clarify and provide examples of the statement on page 8 of 171 stating, “Service may be awarded to multiple vendors”.

a. Does it mean more than one general contractor may be working on the same project at the same time?

b. Does it mean that more than one subcontractor of the same trade (i.e. plumber) may be working on the same project at the same time?

Region 4 ESC may award contracts to multiple contractors as a result of this solicitation. Member agencies will determine how work is to be done on individual jobs.

36. With only one coefficient number (for work during normal business hours) – page 37 of 171, how are we to account for:

a. P&P Bonds –which are calculated on a sliding scale where smaller projects have a larger percentage. How can we know, when we submit our coefficient number, what size projects we will be looking at?

b. Building Permits – These costs vary by city and by county. Are these costs handled outside of the coefficient?

c. Prevailing Wage Rates – These rates vary by county and by project type, such as building construction or heavy civil construction. How can we know when we submit our coefficient number, which county each project will be in?

d. General Conditions – These prices are based on the duration of the project. How can we know when we submit our coefficient number, the duration of each project we will be looking at?

e. Taxes – Will all of the projects associated with TCPN be tax exempt?

Bonds and permits are typically handled as pass-through costs to the customer, as are taxes if any are applicable. Contractors should take other factors such as prevailing wage rates and general conditions into account when submitting their not-to-exceed coefficients.

37. How is “Economy of Scale” accounted for? For example, it cost more per sq. ft. to pour a 200 SF concrete patio than it does to pour a 2,000 SF driveway. It cost more to pour a rectangular parking lot than it does to pour a square parking lot because it requires more formwork. How do we account for this?

Economy of Scale should be accounted for by the vendor when submitting their proposed coefficients.

38. We don't want to be committed to a national contract as indicated in paragraph 8.3 on page 20 of 171. Is there a way to avoid this?

Section 8.3 requires contractors to be compliant with tax laws in the state(s) in which they are doing business. It does not commit contractors to do business in all 50 states.

39. Paragraph 11.7 on page 23 of 171 indicates “Buy American Act” may be required on some projects. How can we account for this additional cost on some, but not all, projects with only one coefficient factor?

It is the vendor's responsibility to take a variety of factors into account when proposing coefficients.

40. What are the different methods for JOC Task Order pricing mentioned on page 27 of 171?

There can be a variety of methods for how to price various projects through UPB's. Contractors should already be familiar through experience with the various ways line items can be selected for different projects through previous JOC experience and/or training.

41. We don't want to commit to being a JOC for the entire state of Texas as mentioned on page 27 of 171. How can we avoid that?

Answer Question #1 of Appendix E.

42. In the first paragraph on page 27 of 171 it states, “Respondents may elect to limit their proposals to a single service within a category, or multiple services within any or all categories.” When and how do we limit our services?

Contractors who wish to limit their proposed services should indicate their limitations in their response to Appendix B. Any limitations that would affect pricing must be noted in the response to Appendix C.

43. Why does the form on page 37 of 171 only ask for City Cost Index for Houston, TX if this RFP is for the entire State of Texas (page 27 of 171)?

Please refer to questions 24 & 25.

44. Paragraph 9 on page 28 of 171 states that “Prime contractor shall not enter into any subcontract subject to this solicitation without prior approval from the member agency.” How can we know if the member agency will approve the subcontractor which our coefficient factor is based on at the time we submit our coefficient factor.

It is the vendor's responsibility to take a variety of factors into account when proposing coefficients.

45. Please elaborate and provide examples of the UPB Division Exceptions listed on page 34 of 171 in which Region 4 ESC and member agencies retain the right to designate section of the Unit Price Book as unacceptable for use. For what purpose will this right be exercised?

In the past, certain sections of price books have conflicted with state or local statutes. This right will be exercised if using certain sections of the UPB would put them out of compliance with federal, state, or local statutes.

46. What is the purpose of the 90 + pages of cities, towns, villages, and states listed in Appendix I – State Notice and how will this affect us?

These lists are required by certain states for their procurement laws to be met. The lists do not effect contractors who are not proposing to those states.

47. During the job pricing phase, what type of information is given to the contractor for pricing? Will it be plans and specs? Will it be a written narrative? Will it be rough sketches?

Information on particular jobs will be handled by the member agency utilizing the contract. Information given may vary from job to job.

48. Who is responsible for the costs associated with getting plans and specifications created for the permit review process?

This may vary from job to job and will be mutually agreed to between the member and the contractor.

49. Who is responsible for selecting from the 65,000 pricing items, the pricing items that are relative to the scope of work we are bidding on?

As this RFP is for indefinite quantity/indefinite delivery, all pricing items are potentially relative to the scope of work. Line items will be agreed to between the contractor and the member agency.

50. Carpeting, for example, comes in a variety of manufacturers and levels of quality. Because it comes in specific roll widths, wasted material will vary widely based upon the size and shape of the room to receive the new carpet. How is this wide fluctuation in wasted carpet material accounted for with a single coefficient factor?

It is the vendor's responsibility to take a variety of factors into account when proposing coefficients.

51. Is the coefficient factor, submitted by the general contractor, supposed to include all subcontractor's coefficients or does TCPN issue work directly to the subcontractors?

Coefficients submitted should take subcontractors' rates into account. Work will not be issued directly to subcontractors under this contract.

52. The Big Note, notes under The RS Means Construction Procurement Catalog states that the unit prices have been adjusted locally using the City Cost Index selected by the purchaser. We understand this to mean that the prices in the unit price book have been adjusted using City of Houston Cost Index. Please clarify.

Please direct all questions concerning the contents of the RSMeans Construction Catalog, the Big Note, and the Job Order Contracting Core(TM) software to RSMeans.

53. If the unit price book is adjusted by applying Houston City Cost Index, please clarify how to price work to be performed in other cities in Texas. Will bidders be required to bid separate coefficients for each city in Texas they intend to pursue work?

Work will be performed in other cities by using the appropriate City Cost Index. Please see questions 24 & 25.

54. The RFP gives bidders the opportunity to provide coefficients for other states in addition to Texas. Will this mean we will have to purchase a separate unit price book adjusted for each city we may pursue work or will the software allow the contractor to apply the appropriate City Cost Index as agreed to with the cooperative member?

Please direct all questions concerning the contents of the RSMeans Construction Catalog, the Big Note, and the Job Order Contracting Core(TM) software to RSMeans.

55. The Big Note, notes under The RS Means Construction Procurement Catalog state that the unit prices have been adjusted locally using the City Cost Index. We understand this to mean that to price a task order, the unit prices will only be multiplied by the bid coefficient. Please clarify.

Please direct all questions concerning the contents of the RSMeans Construction Catalog, the Big Note, and the Job Order Contracting Core(TM) software to RSMeans.

56. The Big Notes, notes under project related costs states that project trailer, equipment, supplies and portable toilets for contractor use are part of the coefficient. We interpret this to mean these costs are related to setting up the JOC contract office but not to individual task order that may require such items. Please clarify.

Please direct all questions concerning the contents of the RSMeans Construction Catalog, the Big Note, and the Job Order Contracting Core(TM) software to RSMeans.

57. The Big Note, notes under project related costs state that incidental engineering and architectural services are part of the coefficient. We understand that this means minor engineering and architectural services that does not require the involvement of professional engineer or architect. Also it means no professional drawings are required to be produced. Please clarify.

While the Unit Price Book might make allowances for architectural and engineering services, all services procured through any resulting contracts must comply with state statutes which may limit members' ability to procure those services.

58. The Big Note, notes under Summary states that the only compensation to be paid is Unit price X Quantity X Coefficient. Does this mean the City Cost Index is not to be applied regardless of location of the work because the data will be adjusted locally by the Gordian Group by applying the City Cost Index?

Please direct all questions concerning the contents of the RSMeans Construction Catalog, the Big Note, and the Job Order Contracting Core(TM) software to RSMeans.

59. Please clarify if for each work location contractor is required to purchase separate software with data adjusted to the local area or will the software allow the applying the appropriate city cost index?

Please direct all questions concerning the contents of the RSMeans Construction Catalog, the Big Note, and the Job Order Contracting Core(TM) software to RSMeans.

60. The RFP states that 30 days access to the RS Means data is available. Does the unit prices in the 30 day trial represent the bare cost adjusted by applying Houston City Cost Index?

Please direct all questions concerning the contents of the RSMeans Construction Catalog, the Big Note, and the Job Order Contracting Core(TM) software to RSMeans.

61. Page 36, 7th paragraph – Is the “Standard JOC Note” the Big Note in the RS Means Construction Procurement Catalog? If not, where is it located in the catalog?

Please direct all questions concerning the contents of the RSMeans Construction Catalog, the Big Note, and the Job Order Contracting Core(TM) software to The Gordian Group.

62. Are any Division 1 RS Means line items excluded other than those as stated to be included in the coefficient?

Please refer to Appendix B section 35 on page 34 of the RFP.

63. Regarding the Questionnaire, page 45 of 171, item 8. The first question seems to apply to commodity-type contracts and not a JOC, since no “future product introductions” are anticipated. Should Bidders answer this “NA”? Previous answer from TCPN was “N/A” is acceptable if it does not apply to your services.” Would that be the same this time?

“N/A” is acceptable if the question does not apply to your services.

64. Page 8 of 171, Section B , first paragraph references RS Means Bare Cost Column, but does not state if we are to use weighted average City Cost Index most appropriate for the work location. Are we required to apply the City Cost Index to the unit prices in RS Means?

The member may require that the City Cost Index be applied as stated in Appendix C on Page 37 of the RFP.

65. Page 36 of 171, Appendix C Pricing, fourth paragraph states that the coefficient will be calculated to include Engineering and professional services. Since the State of Texas puts limitations on the use of JOC to perform engineering and related professional services, please clarify what engineering and professional services to be included in the coefficient.

The vendor's coefficient should take into account all services that may be provided to members under this contract. However, as stated repeatedly throughout the RFP, architectural and engineering services are not being sought through this RFP.

66. Government entities utilizing the current TCPN JOC contract are more familiar with the current estimating software utilizing RS Means unit price books. Will Region 4 ESC/TCPN consider allowing the use of the current estimating software to make it easier for TCPN Members to continue to use the JOC contract?

The estimating software that has been used on the currently in-place and past JOC contracts is no longer being made available to Region 4 for this or future solicitations, and therefore it cannot be allowed.

67. Page 37 of 171, Not to Exceed Pricing, Please clarify if this Not To Exceed pricing described in the RFP applies to all projects to be priced under this JOC contract since the Texas Construction Statute does not list "Not To Exceed" pricing as a recognized JOC pricing method.

Texas statute 2269.404 allows for two options for establishing contractual unit prices. This RFP is requesting the first option as the pricing method: "specifying one or more published construction unit price books and the applicable divisions or line items". Not-to-exceed is not a pricing method, it is a description of the pricing that should result from the pricing method described above.

68. Page 37 of 171, Not to Exceed Pricing , third bullet states that TCPN members may require the use of City Cost Index. However the Unit Price Book "Big Note" clearly states that prices in the RS Means book has be locally adjusted using the City Cost Index. Please clarify.

If the member requires the City Cost Index to be applied, and the estimation software has already applied the City Cost Index to the unit prices, then the member's requirement will have been fulfilled.

69. Item six (6) of the minimum requirements listed in page 27. "Demonstrated Project Understanding." Is there a sample project we need to price? Or how will this be evaluated?

Yes a sample project is required in Question 46 of Appendix F. It is up to vendors to demonstrate their understanding of JOC projects in their response.

70. I was wondering if this is the appropriate form for us to submit if we offer grass and/or installation?

No. Region 4 solicits turf and grass installation through specific RFPs for those products and services.

71. My company does school and sports photography at campuses in central and south Texas. I received notification of this bid, but am uncertain, after reviewing it, that it falls within the scope of work my business does. What is your recommendation for us? We are interested in participating and being awarded a contract number, but I can't tell if this is the best opportunity for that.

Region 4's recommendation for all vendors is to wait for an solicitation that seeks products and services which they can provide and then to respond to that solicitation.

72. In regards to Tab 3, it states to include Appendix F, excluding References section. Is it TCPN's intent that the complete Experience and References Section from Appendix F be excluded from Tab 3 and included under Tab 5? Or, is the intent to only exclude the last bullet from the Experience and References Section to include under Tab 5?

Only references are to be included in Tab 5. All other information requested in Appendix F should be included in the Company Profile in Tab 3.

73. The RFP states the proposal is due Thursday, June 22nd. Since June 22nd is a Wednesday rather than a Thursday, please clarify if the proposal is due Wednesday, June 22nd or Thursday, June 23rd.

The RFP is due at 2:00 pm Central time on Wednesday, June 22nd.

74. In reference to page 45 of 171, items 7 and 8, these items do not appear to be applicable to JOC. Please clarify if bidders are required to completed items 7 and 8.

Please refer to Question #63.