



MEMORANDUM

August 11, 2020

To: Bill Atkins, Chief Financial Officer

From: J.J. McQuade, Director of Purchasing

RE: Request for Competitive Sealed Proposals (RFCSP) 20-21 Kirby Middle School Lighting Project

This proposal was created on behalf of the Office of Facilities Planning. Bid information was posted on the District's website and in accordance with state law; a notice was published in *The Hart Beat News* on July 8 and July 15, 2020. Submittals were opened on July 28, 2020. The District received eight (8) responses. All submittals were reviewed to determine the capability of each vendor to provide the related services based on the needs of the district.

Vendor	Points	Pricing
The Levy Company, Inc.	72.00	\$270,195
Capital Electrical	70.75	\$277,941
Dausin Electric Co.	64.27	\$326,202
Clear Blue Energy Corp.	60.36	\$343,854
Unify Energy Solutions	59.44	\$333,696
Daybreak LED, LLC	57.95	\$347,926
Aquila	27.00	Incomplete Bid
OGNI, Inc.	27.00	Incomplete Bid

Expenditures are anticipated to be a one-time cost of \$270,195. Expenditures will be made from 2016 bond funds.

This proposal is for the one time purchase of construction services.

It is recommended that the Board of Trustees approve the ranking of the submittals as presented and delegate the authority to the Superintendent or her designee to execute all contracts and related documents necessary to complete this project.

All board members, employees and agents involved in the planning, recommending, selecting or contracting of a vendor are reminded of the conflict of interest reporting requirements as mandated in Chapter 176 of the Local Government Code. A copy of Form CIS has been included as an additional attachment. In the event that a conflict exists, the form should be completed and submitted to the Purchasing Department not later than the 7th day after the conflict is identified.

Once a recommendation to make the purchase was established, the prospective vendor was requested to complete a Texas Ethics Commission Form 1295. This requirement became effective on January 1, 2016 and is related to the passage of House Bill 1295 which is now incorporated into the Texas Government Code 2252.908. The form is attached and identifies all interested parties associated with the vendor as it relates to this procurement. Upon approval by the Board of Trustees and issuance of a district purchase order, the form will be posted on the Texas Ethics Commission's website as required by statute.



MEMORANDUM

Date: August 10, 2020

To: James McQuade
Director of Purchasing

From: Ruben Moreno, 
Director of Facilities Planning

Project: Kirby Middle School – Lighting Project (Bldg 700 & “A”)

Re: RFCSP 20-21 Solicitation for General Contractor Recommendation

Submittals for the above noted project have been evaluated by the Department of Facilities Planning, Energy Management, and Cleary Zimmerman Engineers (Design Professionals of record). The Facilities Planning Department presents the evaluation to the Judson ISD Board of Trustees for consideration and approval.

The Levy Co. Inc. is determined to be the highest ranked General Contractor. Their proposal is \$270,194.40 (to include Base bid and Contingency).

Note: For this project, eight vendors submitted proposals. Two vendors did not complete the correct proposal form.

CC: Dr. Milton R. Fields, III, Deputy Superintendent of Operations and Administration

LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT

FORM CIS

(Instructions for completing and filing this form are provided on the next page.)

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This is the notice to the appropriate local governmental entity that the following local government officer has become aware of facts that require the officer to file this statement in accordance with Chapter 176, Local Government Code.

OFFICE USE ONLY

Date Received

1 Name of Local Government Officer

2 Office Held

3 Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code

4 Description of the nature and extent of employment or other business relationship with vendor named in item 3

5 List gifts accepted by the local government officer and any family member, if aggregate value of the gifts accepted from vendor named in item 3 exceeds \$100 during the 12-month period described by Section 176.003(a)(2)(B).

Date Gift Accepted _____ Description of Gift _____

Date Gift Accepted _____ Description of Gift _____

Date Gift Accepted _____ Description of Gift _____

(attach additional forms as necessary)

6 **AFFIDAVIT**

I swear under penalty of perjury that the above statement is true and correct. I acknowledge that the disclosure applies to each family member (as defined by Section 176.001(2), Local Government Code) of this local government officer. I also acknowledge that this statement covers the 12-month period described by Section 176.003(a)(2)(B), Local Government Code.

Signature of Local Government Officer

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said _____, this the _____ day
of _____, 20 _____, to certify which, witness my hand and seal of office.

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

LOCAL GOVERNMENT OFFICER CONFLICTS DISCLOSURE STATEMENT

Section 176.003 of the Local Government Code requires certain local government officers to file this form. A "local government officer" is defined as a member of the governing body of a local governmental entity; a director, superintendent, administrator, president, or other person designated as the executive officer of a local governmental entity; or an agent of a local governmental entity who exercises discretion in the planning, recommending, selecting, or contracting of a vendor. This form is required to be filed with the records administrator of the local governmental entity not later than 5 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of this statement.

A local government officer commits an offense if the officer knowingly violates Section 176.003, Local Government Code. An offense under this section is a misdemeanor.

Please refer to chapter 176 of the Local Government Code for detailed information regarding the requirement to file this form.

INSTRUCTIONS FOR COMPLETING THIS FORM

The following numbers correspond to the numbered boxes on the other side.

- 1. Name of Local Government Officer.** Enter the name of the local government officer filing this statement.
- 2. Office Held.** Enter the name of the office held by the local government officer filing this statement.
- 3. Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code.** Enter the name of the vendor described by Section 176.001(7), Local Government Code, with whom the officer has an employment or other business relationship as described by Section 176.003(a)(2)(A), Local Government Code.
- 4. Description of the nature and extent of employment or business relationship with vendor named in item 3.** Describe the nature and extent of the employment or other business relationship with the vendor in item 3 as described by Section 176.003(a)(2)(A), Local Government Code.
- 5. List gifts accepted, if the aggregate value of the gifts accepted from vendor named in item 3 exceeds \$100.** List gifts accepted during the 12-month period (described by Section 176.003(a)(2)(B), Local Government Code) by the local government officer or family member of the officer from the vendor named in item 3 that in the aggregate exceed \$100 in value.
- 6. Affidavit.** Signature of local government officer.

RFCSP 20-21 Kirby M.S.
Lighting Project



Vendor	OGNI, INC.	Clear Blue Energy Corp.	Aquila	Capital Electrical	Dauxin Electric Co.	Unity Energy Solutions	The Levy Co. Inc.	Daybreak LED LLC.
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SUMMARY

1) Purchase Price (45 Points)	\$0	\$343,854	\$0	\$277,941	\$326,202	\$333,696	\$270,195	\$347,926
Point Value	0.00	35.36	0.00	43.75	37.27	36.44	45.00	34.95
2) Relevant Experience (15 Points)	6	4	6	6	6	2	6	2
3) Project Management Ability (10 Points)	9	9	9	9	9	9	9	9
4) Past Performance (10 Points)	10	10	10	10	10	10	10	10
5) Subcontractors & Suppliers (20 Points)	2	2	2	2	2	2	2	2
TOTAL	37.00	60.36	37.00	70.75	64.27	59.44	71.00	57.95
RANK	7	4	7	2	3	5	1	6

DEPARTMENT RECOMMENDATION

I have reviewed the submittals for this offering and recommend the following vendor(s) for award:

 

Ruben Moreno
Director of Facilities Planning

JJ McQuade, CPM
Director of Purchasing

DETAILED SCORE CARD

1) Purchase Price (45 Points)								
Base Proposal - New Fixtures	\$0	\$318,383	\$0	\$257,352	\$302,038	\$307,000	\$250,180	\$322,153
Contingency (8%)	\$0	\$25,471	\$0	\$20,588	\$24,163	\$26,696	\$20,014	\$25,772
	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Proposed Pricing	\$0	\$343,854	\$0	\$277,941	\$326,201	\$333,696	\$270,194	\$347,925
The lowest price is given the maximum points as predetermined and stated in the proposal documents. The following formula is then applied to all subsequent pricing. Divide the lowest offer by the amount of the current proposer's offer. Multiply the result by the maximum number of points available. The num is the number of points awarded to the current proposer in this category.	0.00	35.36	0.00	43.75	37.27	36.44	45.00	34.95
2) Relevant Experience (15 Points)								
Experience as a general contractor with specific experience in facilities construction projects of the same or similar type, size, nature and class as the Project being proposed, including work performed in connection with a facility which is occupied and in use during construction, if applicable. Consideration will be given to the number of years of experience, which a Bidder has. Representative projects (dollar value and/or scope/size) must be submitted as references to include the project name, architect or engineer, cost of the project and the contact person to include phone number. Consideration will only be given to projects which are occupied or substantially complete. Educational Facilities Projects may receive greater consideration.	6	4	6	6	6	2	6	2
3) Project Management Ability (10 Points)								
The Bidder shall provide evidence of sufficient resources necessary to, manage, staff, and successfully perform the work contemplated under this proposal. Provide a brief profile of the Bidder, including its principal line of business, the year founded, number and location of offices, and the number of employees. Identify any condition (bankruptcy, pending merger, pending litigation, planned office closures or others) that may enhance or impede the Bidder's ability to perform the services.	9	9	9	9	9	9	9	9
4) Past Performance (10 Points)								
Past performance will be considered in the evaluation process, including but not limited to, the following: Ability of Bidder to remain on schedule. Cooperation with Owner of project and staff. Proper and timely coordination of all trades and support personnel in completing the project. Minimum number of major deficiencies on the substantial completion punch list. Minimum number of warranty item call backs during the warranty phase, and warranty responsiveness. Consistent demonstration of commitment to excellence in workmanship. Safety record.	10	10	10	10	10	10	10	10
5) Subcontractors & Suppliers (10 Points)								
The Bidder shall submit a schedule of proposed Subcontractors for this Project. The Bidder should be capable of submitting resumes and references for each Subcontractor listed, if requested by Owner.	2000	2	2	2	2	2	2	2
TOTAL	37.00	60.36	37.00	70.75	64.27	59.44	71.00	57.95
RANK	7	4	7	2	3	5	1	6

RFCSP 20-21 Kirby M.S.
Lighting Project



Vendor	OGNI, INC.	Clear Blue Energy Corp.	Aquila	Capital Electrical	Dausin Electric Co.	Unify Energy Solutions	The Levy Co. Inc.	Daybreak LED LLC
1) Purchase Price (45 Points)								
Base Proposal - New Fixtures	0.00	318,383.20	0.00	257,352.49	302,038.00	307,000.00	250,180.00	322,153.00
Contingency (8%)	0.00	25,470.66	0.00	20,588.20	24,163.04	26,695.65	20,014.40	25,772.24
Total Proposed Pricing	0.00	343,853.86	0.00	277,940.69	326,201.04	333,695.65	270,194.40	347,925.24
The lowest price is given the maximum points as predetermined and stated in the proposal documents. The following formula is then applied to all subsequent pricing. Divide the lowest offer by the amount of the current proposer's offer. Multiply the result by the maximum number of points available. The sum is the number of points awarded to the current proposer in this category.	0.00	35.36	0.00	43.75	37.27	36.44	45.00	34.95
2) Relevant Experience (15 Points)								
Experience as a general contractor with specific experience in facilities construction projects of the same or similar type, size, nature and class as the Project being proposed, including work performed in connection with a facility which is occupied and in use during construction, if applicable. Consideration will be given to the number of years of experience, which a Bidder has. Representative projects (dollar value and/or scope/size) must be submitted as references to include the project name, architect or engineer, cost of the project and the contact person to include phone number. Consideration will only be given to projects which are occupied or substantially complete. Educational Facilities Projects may receive greater consideration.	6	4	6	6	6	2	6	2
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5) Subcontractors & Suppliers (20 Points)								
The Bidder shall submit a schedule of proposed Subcontractors for this Project. The Bidder should be capable of submitting resumes and references for each Subcontractor listed, if requested by Owner.	2	2	2	2	2	2	2	2
TOTAL	27.00	60.36	27.00	70.75	64.27	59.44	72.00	57.95
RANK	7	4	7	2	3	5	1	6