

**DALLAS FORT WORTH INTERNATIONAL AIRPORT
DESIGN, CODE AND CONSTRUCTION DEPARTMENT**

**BID REQUIREMENTS
FOR
EASTSIDE PLANT SOIL FAILURE
CONTRACT NO. 9500636**

**REQUEST FOR BID (RFB)
June 29, 2018**

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Advertisement

The Dallas Fort Worth International Airport Board will receive sealed bids for the following items at the location stated below until the due date and time stated:

SOLICITATION: 9500636 Eastside Plant Soil Failure

PRE-BID CONFERENCE: July 10, 2018 2:00pm (Central Time)

BID DUE DATE AND TIME: August 13, 2018 1:00pm (Central Time)

SMALL BUSINESS ENTERPRISE (SBE) GOAL: 5%

CONTACT: Program Solicitation Manager, Travis Sanderfer (972) 973-1716

LOCATION: DFW International Airport Board, Design, Code and Construction Offices, 3003 South Service Road, DFW Airport, TX 75261

Additional information is available on the DFW International Airport website at www.dfwairport.com/business/solicitations.

The DFW Airport, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

Distribution of Bid Set Plans and Specifications

Plans and Specifications will be available to Bidders as detailed in Appendix 8 – Solicitation Schedule on the DFW website and at MS Dallas Reprographics, 1130 Dragon Street, STE 110, Dallas, TX 75207, telephone (214) 521-7000 or toll free (866) 699-0992; fax (214) 522-8533; website www.msDallas.com. Bidding documents may be examined at a number of local plan houses or at the DFW Design, Code and Construction Building, 3003 S. Service Road, DFW Airport, Texas 75261.

D/FW is not responsible for the accuracy or correctness of the following addresses and phone numbers.

AGC/Quoin

Justin Houser
14305 Inwood Rd.
Dallas, Texas 75244
800-364-2059 ext. 8304
isqftmr@gmail.com
www.isqft.com

AGC of Texas

Helga Krahe
6220 N. Beltline Rd., Ste. 210
Irving, Texas 75063
972-580-8685
irving@agctx.org
www.agctx.com

Asian American Contractors Association of Greater Dallas

Katherine Dress
2964 LBJ Freeway, Suite 430
Dallas, Texas 75234
972-623-7678
kdress@usapdi.com
www.aacatx.com

American Indian Chamber of Commerce

Tosawi Marshall
11245 Indian Trail, 2nd Floor
Dallas, TX 75229
972-241-6450
tmarshall@aicct.com
www.aicct.org

Black Contractors Association

Jonni Gipson
1409 S. Lamar, Ste. 251
Dallas, Texas 75215
214-928-7097
jgipson@blackcontractors.org
www.blackcontractors.org

Builders Exchange of Texas

Jeannette Olguin
8411 Sterling, Ste. 101
Irving, Texas 75063
214-687-9000
jeannette@virtualbx.com
www.virtualbx.com

Dallas Black Chamber of Commerce

Carmen Humble
2838 Martin Luther King Jr., Blvd.
Dallas, Texas 75215
214-421-5200
chum@dbcc.org
www.dbcc.org

DFW Minority Supplier Dev. Council

Sharon Richardson
8828 N. Stemmons Freeway, Ste. 550
Dallas, Texas 75247
214-630-0747
admin@dfwmsdc.com
www.dfwmsdc.com

McGraw-Hill Construction Dodge

Kristen Price
4300 Beltway Place, #180
Arlington, Texas 76018
817-375-2957
dodge_reocwe@mcgraw-hill.com
www.construction.com

Fort Worth Hispanic Chamber of Commerce

Andrea Puente
1327 North Main Street
Ft. Worth, Texas 76164
817-625-5411
andrea.puente@fwhcc.org
www.fwhcc.org

Fort Worth Metropolitan Black Chamber of Commerce

Allen Smith
1150 S. Freeway, Ste. 211
Ft. Worth, Texas 76104
817-870-0372
asmith@fwbcc.org
www.fwbcc.org

Greater Dallas Asian Chamber of Commerce

Hoyoung Kim
7610 Stemmons Freeway, Suite 690
Dallas, Texas 75247
972-241-8250
hoyoung@gdaacc.com
www.gdaacc.com

Greater Dallas Hispanic Chamber of Commerce

Sagrario Ortiz
4622 Maple Avenue, Ste. 207
Dallas, Texas 75219
214-521-6007
sortiz@gdhcc.com
www.gdhcc.com

Greater Dallas Indo-American Chamber of Commerce

Arnel Trovada
5930 LBJ Freeway, Suite 350
Dallas, Texas 75240
214-346-9559
arnel@gdiacc.org
www.gdiacc.org

Regional Hispanic Contractors Association

Yolanda Tafoya
2210 W. Illinois
Dallas, Texas 75224
972-786-0909
yolanda@regionalhca.org
<http://regionalhca.org>

Instructions to Bidders

NOTICE: The Bidder shall refer to General Provisions and Special Provisions herein for bid requirements in addition to the following:

The independent estimate of this work for the Base Bid is \$584,190.00.

1) Instruction to Bidders

- a) As-Built Drawings – Caution must be exercised when using any Board "As-Built" drawings. The accuracy of these drawings are not guaranteed by the Board, and total reliance on them by consultants and other Bidders is at their risk. Bidders performing sub-surface work should contact Dallas-Fort Worth Airport Maintenance, Documentation Section, at (972) 973-6125 prior to any excavation.
- b) Quality Assurance / Quality Control Testing – Bids are to be prepared in accordance with Contract Documents which state that the Board will perform and pay for all Quality Assurance tests required for acceptance of the Work and the establishment of penalties relating to deficient Work. The Bidder is to perform and pay for all Quality Control testing it deems necessary to ensure that the Work meets Specification requirements. Costs for the Quality Control tests are to be included in Bid Items.
- c) Ancillary/Integral Professional Services – In selecting an architect, engineer or land surveyor, etc., to provide professional services, if any, that are required by the specifications, bidder shall not do so on the basis of competitive bids but shall make such selection on the basis of demonstrated competence and qualifications to perform the services in the manner provided by Section 2254-004 of the Texas Government Code and so shall certify to the Board with its bid.
- d) Title VI Solicitation Notice – The Board, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

2) Contracting Prohibitions:

- a) **Bid/Proposal Rejection:** Board will reject any Bid/Proposal from a Bidder/Proponent that:
 - i) boycotts Israel;
 - ii) contracts with or provides supplies or services to a foreign terrorist organization;
 - iii) engages in certain scrutinized business operations in Sudan, Iran or with a designated foreign terrorist organization; or
 - iv) has been complicit in the Darfur genocide during any preceding 20-month period.¹
- b) **“Boycott Israel” Defined:** “Boycott Israel” means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.
- c) **Verification:** Each Bidder/Proponent must execute and submit with its Bid/Proposal the verification attached as Appendix 4 – Form 6 – Verification of Contracting Prohibitions. That verification will: [i] form a material part of its Bid/Proposal; and [ii] will be incorporated into any awarded contract.

¹ See Texas Government Code; Chapter 2252; Subchapter F; Prohibition on Contracts with Certain Companies (including Sections 2252.152 and 2252.153); Chapter 2270; Prohibition on Contracts with Companies Boycotting Israel; and Chapter 2270; Prohibition on Investing Public Money in Certain Investments (including Sections 2270.0001, 2270.0052, 2270.0102 and 2270.0152).

- 3) Receipt and Opening of Bids** – The Dallas Fort Worth International Airport Board (herein called the "Board") invites Bids on the form attached hereto, all blanks of which must be appropriately filled in. Bidders submitting packages will herein be called "Contractor". Bids will be received by the Board as detailed in Appendix 8 – Solicitation Schedule and then publicly opened and read aloud. Each Bid must be submitted in a sealed envelope bearing on the outside the name of the Contractor, Contractor's address, and the name and contract number of the Work for which the Bid is submitted and designated (Example: Contract No. 9500XXX, Contract Name).
- a) If forwarded by mail, the sealed envelope containing the Bid must be enclosed in another envelope addressed to Dallas Fort Worth International Airport Board, Design, Code and Construction Department, P. O. Box 612008, Dallas Fort Worth Airport, Texas 75261-2008.
 - b) If forwarded by courier, the bid should be addressed to Dallas Fort Worth International Airport Board, Design, Code and Construction Department, 3003 S. Service Road, Dallas Fort Worth Airport, Texas 75261.
 - c) Any Bid received after the time and date specified shall not be considered. Contractor may not withdraw a Bid within sixty (60) calendar days after the opening thereof.
- 4) Addenda and Interpretations** – Requests for interpretation of the RFB must be in writing addressed to Program Solicitations Manager Travis Sanderfer, Design, Code and Construction Department, P. O. Box 612008, Dallas Fort Worth Airport, Texas, 75261-2008, and to be given consideration must be received in accordance with Appendix 8 – Solicitation Schedule. Only substantive items, as determined by the Board, will be addressed in the form of written addenda, which, if issued, will be posted on the Airport's website, www.dfwairport.com/business/solicitations and available at MS Dallas Reprographics, 1130 Dragon Street, STE 110, Dallas, TX 75207. Failure of any Contractor to receive any such addendum shall not relieve such Contractor from any obligations under its Bid as submitted. All addenda issued shall become part of the Contract Documents. The Board may elect to not respond to all inquiries in this manner.
- 5) Pre-bid Conference** – A Pre-Bid Conference may be scheduled as detailed in Appendix 8 – Solicitation Schedule, at which time questions will be received. Addenda will be prepared, if needed, to clarify any items brought up at the Pre-Bid Conference.
- 6) Bid Package Review** – Before signing and sealing your bid, please take note of the following. Failure to perform any one of these actions may cause your bid to be rejected.
- a) Contractor Qualifications – When applicable to the specifications, please ensure that all certifications, licensing or other requested qualifications verification forms or information necessary to validate the prime or subcontractors qualifications to provide products or services are included in the bid package.
 - b) Read/Confirm Intent To Comply – Contractor has read all Contract Forms, Special Provisions, General Provisions, Technical Specifications, Plans and all other material provided in the Request for Bid and confirms their intent to comply with all stated provisions.
 - c) Proofreading – Contractor has proofread all documents to ensure all information provided by the Contractor is accurate and responsive to the solicitation specifications. The Board is not responsible for errors made by the Contractor.
 - d) Accuracy – Contractor has reviewed and confirmed all mathematical and numerical entries to ensure accuracy and commitment to honor pricing as submitted. The Board is not responsible for errors made by the Contractor.
 - e) Insurance Compliance – Contractor has contacted insurance agent or representative to verify its ability to meet the stated insurance requirements and, if awarded a contract, that it will meet the insurance requirements as detailed in Appendix 5 – The Agreement.
 - f) Late Bids/Proposals – Please note the time, date and delivery location (or mailing address if submitted by U.S. Postal Service). Late bids will not be accepted. Business hours for the Design, Code and Construction Department are from 8:00 a.m. to 4:30 p.m., LOCAL TIME, Monday through Friday, except holidays. Design, Code and Construction offices are located at 3003 South Service Road, DFW Airport, Texas 75261.
 - g) Supplier Registration – While not a requirement of the bid submittal, Contractor has registered in the Board's Supplier Registration System, which is required for contracting with the Board.
<http://www.dfwairport.com/procurement/index.php>

7) **Submittals** – The following submittals must be completed and submitted with each Bid Package. This table is included for Contractor’s convenience and may be used to track the preparation and submittal of certain required information with its Bid/Proposal.

Item #	Required Bid Package Submittal - Check Sheet	Check (√)
1.	Appendix 1 – Bid Detail	
2.	Appendix 2 – Good Faith Effort (GFE) Criteria (If applicable)	
3.	Appendix 3 – D/S/M/WBE Certificates	
4.	Appendix 4 – Form 1 – Business Disclosure Form	
5.	Appendix 4 – Form 2 – Workforce Composition Form	
6.	Appendix 4 – Form 3 – Intent to Perform Contract as SBE	
7.	Appendix 4 – Form 4 – Commitment to Small Business Enterprise (SBE) Participation Form	
8.	Appendix 4 – Form 5 – Schedule of Subcontractors	
9.	Appendix 4 – Form 6 – Verification of Contracting Prohibitions	
10.	Appendix 6 – Bid Schedule (xls file on flash drive)	
11.	Appendix 7 – Bid Bond	

Appendix 1 – Bid Detail

Contract No. 9500636
Eastside Plant Soil Failure

- 1) This is a solicitation for bids on the construction of the project detailed in the contract documents of Appendix 5 – The Agreement. The Contractor shall be responsible for reviewing all existing conditions associated with the work prior to commencement of work activities.
- 2) The Board reserves the right to reject any bid for any reason, including if, on the face of the bid received, it is clear that acceptance of the bid would not comply with any applicable bidding laws, rules, or regulations.
- 3) The undersigned Contractor, declares that the only person or parties interested in this Bid as principals are those named herein; that this Bid is made without collusion with any other person, firm, or corporation; that he has carefully examined the Bid Requirements, all incorporated references and Appendices, and the conditions and classes of materials of the Work; and will provide all the necessary supervision, labor, machinery, tools, supplies, equipment, transportation and other facilities, apparatus, and other means of construction and will do all the Work and furnish all the materials called for by such, in the manner prescribed therein and according to the requirements therein set forth, and to perform all other obligations imposed by the Contract Documents for the prices named in the Bid Schedule hereinafter appearing.
- 4) It is understood and agreed that if awarded the Contract, the Work will commence within ten (10) calendar days after the date of the Notice to Proceed and that the total Work will be completed in accordance with the Schedule of Construction set forth herein.
- 5) It is further understood that the Prevailing Wage Rates TX180035 revised 01/05/2018, issued by the Department of Labor as established by law are to govern the Work. The Contractor certifies that he has examined the wage rate determination and that prices bid are based on compliance with said determination.
- 6) Accompanying this Bid is the required Bid Guaranty consisting of Bid Bond or Cashiers' Check in the amount of five percent (5%) of the total Bid, or in the case of bid alternates, five percent (5%) of the highest total Bid. The certified check accompanying a Bid shall be returned to the Contractor upon execution of the Contract.
- 7) In the event of the award of a Contract, the undersigned will deposit with the Board a Contract Performance Bond and a Payment Bond as required by the Contract Documents, guarantying faithful performance of the Contract, and any payment of all labor, materials and other sundry items, in accordance with the Contract Documents, and will deliver certificates of insurance evidencing insurance required by the Contract Documents.
- 8) The Work proposed to be done shall be fully completed and finished to the entire satisfaction of the Board.
- 9) The undersigned certifies that the price contained in this Bid has been carefully reviewed and is submitted as correct and final.
- 10) In conformity with the Special Provisions, the amount of liquidated damages for this Contract shall be as shown in Article 1.0, of the Special Provisions.
- 11) Ancillary/Integral Professional Services – Contractor certifies that in selecting an architect, engineer or land surveyor, etc., to provide professional services, if any, that are required by the specifications, Contractor shall not do so on the basis of competitive bids but shall make such selection on the basis of demonstrated competence and qualifications to perform the services in the manner provided by Section 2254-004 of the Texas Government Code.
- 12) Certification of compliance with the provisions of Section 2254-004 of the Texas Government Code: (Initial here) _____
- 13) Certificate Regarding Debarment And Suspension – By submitting a bid/proposal under this solicitation, the Contractor or offeror certifies that at the time the Contractor or offeror submits its bid/proposal that neither it nor its principals are presently debarred or suspended by any Federal department or agency from participation in this transaction.

14) Receipt is hereby acknowledged of the following Addenda to the Contract Documents:

Addendum No. 1 Date Received _____	Ack. By _____
Addendum No. 2 Date Received _____	Ack. By _____
Addendum No. 3 Date Received _____	Ack. By _____
Addendum No. 4 Date Received _____	Ack. By _____
Addendum No. 5 Date Received _____	Ack. By _____

15) Summary of Bid

- a. **Base Bid** – Contractor agrees to construct **Contract No. 9500636, Eastside Plant Soil Failure**, in accordance with the contract terms, plans and specifications and to complete the work within ninety (90) consecutive calendar days for substantial completion, with an additional sixty (60) consecutive calendar days for final completion, from the date set forth in the Notice to Proceed in accordance with the Bid Schedule and Unit Prices attached hereto, for the following amount:

BASE BID PRICE: _____

_____ DOLLARS and ____/100 \$ _____.

Separate Cost Breakdown (for Tax Exemption Information)

Materials to be incorporated.....	\$ _____
All Other Costs	\$ _____
Total Base Bid	\$ _____

- 16) The contract, if awarded, shall be to the lowest responsive, responsible Contractor whose bid, conforming with all materials terms and conditions of the invitation for bids, is the lowest in price.
- 17) When alternates are used, the Board reserves the right to Contract for any combination of Base and or Alternates stated, or none of the above. Contractor must bid on the base and all alternates. Bids addressing only the base or alternate items will be considered non-responsive.

18) The Contractor shall complete the following statement by checking the appropriate space.

- a. The Contractor has ____ has not ____ participated in a previous contract subject to the equal opportunity clause prescribed by Executive Order 10925, or Executive Order 11114, or Executive Order 11246.
- b. The Contractor has ____ has not ____ submitted all compliance reports in connection with any such contract due under the applicable filing requirements; and that representations indicating submission of required compliance reports signed by proposed subcontractors will be obtained prior to award of subcontracts.
- c. If the Contractor has participated in a previous contract subject to the equal opportunity clause and has not submitted compliance reports due under applicable filing requirements, the Contractor shall submit a compliance report on Standard Form 100, "Employee Information Report EEO-1" prior to the award of contract.
- d. Standard Form 100 is normally furnished contractors annually, based on a mailing list currently maintained by the Joint Reporting Committee. In the event a contractor has not received the form, he may obtain it by writing to the following address: Joint Reporting Committee, 1800 G Street, Washington, DC 20506.
- e. () The below listed firm is a Disadvantaged Business Enterprise (DBE / M/WBE).

NAME OF CONTRACTOR/CORPORATION: _____

CONTRACTOR'S ADDRESS: _____

CITY, STATE, ZIP: _____ PHONE NO.: _____

PRINTED NAME & TITLE OF PERSON SIGNING BID

FEDERAL I.D. NUMBER

SIGNATURE: _____

(Seal, if bid by a Corporation)

Appendix 2 – Good Faith Effort (GFE) Criteria

NOTE: Include a response to GFE criteria and support documentation in bid/proposal only if the D/S/M/WBE goal is not achieved.

The following factors are taken into account when assessing a good faith effort response. These factors are minimally considered as good faith efforts and demonstrate specific initiatives made in attempting to achieve the applicable contract-specific Disadvantaged/Small/Minority/Women Business Enterprise (D/S/M/WBE) goal. These factors should not be considered as a template, checklist or some quantitative formula. Proposers are required to meet all factors outlined below and provide support documentation in order for the good faith effort plan to be assessed. Mere pro forma efforts are not good faith efforts to meet the D/S/M/WBE contract requirements. This means that a Contractor/proposer must show that it took all necessary and reasonable steps to achieve a D/S/M/WBE goal or other requirement of this GFE which, by their scope, intensity, and appropriateness to the objective, could reasonably be expected to obtain sufficient D/S/M/WBE participation, even if they were not fully successful. DFW will evaluate the GFE on quality, quantity, and intensity of the different kinds of efforts that the Contractor/proposer has made, based on the regulations and the guidance in Code of Federal Regulations.

NOT SUBMITTING PROPER SUPPORT DOCUMENTATION IS NOT EVIDENCE OF A PROPER DEMONSTRATION OF GOOD FAITH EFFORT. SUBMITTAL OF THE CRITERIA, WITH NO ADDITIONAL DOCUMENTATION, WILL NOT BE CONSIDERED ADEQUATE DEMONSTRATION OF GOOD FAITH EFFORT. Proposers are not limited to these particular areas and may include other efforts deemed appropriate. Complete form and attach support documentation only if the D/S/M/WBE goal is not achieved. For additional guidance concerning Good Faith Efforts, please refer to the Electronic Code of Federal Regulations (CFR 49 part 26 Exhibit A).

GOOD FAITH EFFORT FACTORS
Whether the contractor/vendor/bidder conducted market research to identify small business contractors and suppliers and solicit through all reasonable and available means the interest of all certified D/S/M/WBEs that have the capability to perform the work of the contract. This may include attendance at any pre-bid or pre-proposal meetings to discuss subcontracting and supplier opportunities (acceptable documentation shall include copies of the meeting sign-in sheets with contractor name noted as signed-in) and business matchmaking meetings and events, advertising and/or written notices, posting of Notices of Sources Sought and/or Requests for Proposals, written notices or emails to all D/S/M/WBEs listed in the State and/or Local respective directories of firms that specialize in the areas of work desired (as noted in the D/S/M/WBE directory) and which are located in the area or surrounding areas of the project.
Whether the contractor/vendor/bidder advertised in general circulation, trade association, and/or D/S/M/WBE focused media concerning subcontracting and supplier opportunities (acceptable documentation shall be copies of advertisement, newspaper page where advertisement was posted or print media confirmations);
Whether the contractor/vendor/bidder should solicit this interest as early in the acquisition process being at least five (5) business days prior to bid opening as practicable to allow the D/S/M/WBEs to respond to the solicitation and submit a timely offer for the subcontract. The Contractor/proposer should determine with certainty if the D/S/M/WBEs are interested by taking appropriate steps to follow up initial solicitations at least three (3) business days prior to bid opening to determine with certainty whether the DBEs were interested (appropriate steps may be demonstrated by second contact attempts by letter, facsimile transmission, telephone communication or email, if Contractor/proposer failed to make contact on its first attempt).

<p>Whether the contractor/vendor/bidder selected portions of the work to be performed by D/S/M/WBEs in order to increase the likelihood that the D/S/M/WBE goals will be achieved. This includes, where appropriate, breaking out contract work items into economically feasible units (for example, smaller tasks or quantities) to facilitate D/S/M/WBE participation, even when the prime contractor might otherwise prefer to perform these work items with its own forces. This may include, where possible, establishing flexible timeframes for performance and delivery schedules in a manner that encourages and facilitates D/S/M/WBE participation.</p>
<p>Whether the contractor/vendor/bidder provided interested D/S/M/WBEs with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation with their offer for the subcontract. The ability or desire of a contractor/vendor/bidder to perform the services of a contract with its own workforce does not relieve the contractor/vendor/bidder of the responsibility to meet the contract goal or demonstrate good faith efforts to do so (The Contractor/proposer shall make a moderate and reasonable adjustment to the normal and practiced industry standard that demonstrates a reasonable willingness to divide up scopes of work to provide more opportunities for D/S/M/WBEs to bid/quote).</p>
<p>Whether the contractor/vendor/bidder negotiated in good faith with interested D/S/M/WBEs. It is the Contractor's/proposer's responsibility to make a portion of the work available to D/S/M/WBE subcontractors and suppliers and to select those portions of the work or material needs consistent with the available D/S/M/WBE subcontractors and suppliers, so as to facilitate D/S/M/WBE participation. Evidence of such negotiation includes the names, addresses, and telephone numbers of D/S/M/WBEs that were considered; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and evidence as to why additional Agreements could not be reached for D/S/M/WBEs to perform the work.</p>
<p>Whether the contractor/vendor/bidder using good business judgment would consider a number of factors in negotiating with subcontractors, including D/S/M/WBE subcontractors, and would take a firm's price and capabilities as well as contract goals into consideration. However, the fact that there may be some additional costs involved in finding and using D/S/M/WBEs is not in itself sufficient reason for a Contractor's/proposer's failure to meet the contract D/S/M/WBE goal, as long as such costs are reasonable. Also, the ability or desire of a prime contractor to perform the work of a contract with its own organization does not relieve the Contractor/proposer of the responsibility to make good faith efforts. Prime contractors are not, however, required to accept higher quotes from D/S/M/WBEs if the price difference is excessive or unreasonable.</p>
<p>Whether the contractor/vendor/bidder did not reject D/S/M/WBEs as being unqualified without sound reasons based on a thorough investigation of their capabilities. The contractor's standing within its industry, membership in specific groups, organizations, or associations and political or social affiliations (for example union vs. non-union status) are not legitimate causes for the rejection or non-solicitation of bids in the contractor's efforts to meet the project goal. Another practice considered an insufficient good faith effort is the rejection of the D/S/M/WBE because its quotation for the work was not the lowest received. However, nothing in this paragraph shall be construed to require the Contractor/proposer or prime contractor to accept unreasonable quotes in order to satisfy contract goals.</p>
<p>Whether the contractor/vendor/bidder prime contractor's inability to find a replacement D/S/M/WBE at the original price is not alone sufficient to support a finding that good faith efforts have been made to replace the original D/S/M/WBE. The fact that the contractor has the ability and/or desire to perform the contract work with its own forces does not relieve the contractor of the obligation to make good faith efforts to find a replacement D/S/M/WBE, and it is not a sound basis for rejecting a prospective replacement D/S/M/WBE's reasonable quote.</p>

Whether the contractor/vendor/bidder make efforts to assist interested D/S/M/WBEs in obtaining bonding, lines of credit, or insurance as required by the recipient or contractor.
Whether the contractor/vendor/bidder make efforts to assist interested D/S/M/WBEs in obtaining necessary equipment, supplies, materials, or related assistance or services.
Whether the contractor/vendor/bidder effectively use the services of available minority/women community organizations; minority/women contractors' groups; Local, State, and Federal minority/women business assistance offices; and other organizations as allowed on a case-by-case basis to provide assistance in the recruitment and placement of D/S/M/WBEs.
Whether the contractor/vendor/bidder in determining whether a Contractor/proposer has made good faith efforts, it is essential to scrutinize its documented efforts. At a minimum, DFW will review the performance of other Contractors/proposers in meeting the contract goal. For example, when the apparent successful Contractor/proposer fails to meet the contract goal, but others meet it, DFW may reasonably raise the question of whether, with additional efforts, the apparent successful Contractor/proposer could have met the goal. As provided in §26.53(b)(2)(vi), the Contractor must submit copies of each D/S/M/WBE and non-D/S/M/WBE subcontractor quote submitted to the Contractor when a non-D/S/M/WBE subcontractor was selected over a D/S/M/WBE for work on the contract to review whether D/S/M/WBE prices were substantially higher; and contact the D/S/M/WBEs listed on a contractor's solicitation to inquire as to whether they were contacted by the prime. Pro forma mailings to D/S/M/WBEs requesting bids are not alone sufficient to satisfy good faith efforts under the rule.
Whether the contractor/vendor/bidder promise to use D/S/M/WBEs after contract award is not considered to be responsive to the contract solicitation or to constitute good faith efforts.

FOR DFW BUSINESS DIVERSITY & DEVELOPMENT USE ONLY:

Plan Reviewed by: _____

Date: _____

Signature of D/S/M/WBE Liaison: _____

Recommendation: Approval: _____ Denial: _____

(rev 10/18/16)

Appendix 3 – D/S/M/WBE Certificates

INSERT D/S/M/WBE CERTIFICATES HERE

Appendix 4 – Forms

Form 1 – Business Disclosure Form

Form 2 – Workforce Composition Form

Form 3 – Intent to Perform Contract as a SBE Subcontractor

Form 4 – Commitment to Small Business Enterprise (SBE) Participation Form

Form 5 – Schedule of Subcontractors

Form 6 – Verification of Contracting Prohibitions

**Form 1
Business Disclosure Form**

**DALLAS-FORT WORTH INTERNATIONAL AIRPORT BOARD
BUSINESS DISCLOSURE FORM**

It is recommended this form be completed by a governing person, governing authority, or legal counsel.

Information about Entity Submitting Bid/Proposal/Offer

(This information must match the information provided on the Bid/Proposal/Offer.)

Business Name:					
Business Address:			Mailing Address:		
City	State	Zip	City	State	Zip
Business Web Address:					
Business Phone:			Business Fax:		
Contact Person:			Contact's Phone No.:		
Contact's E-Mail Address:					

Entity Ownership Information (Check the appropriate box and provide requested details below.)

<p>business Structure: (Please check only one box)</p> <p><input type="checkbox"/> Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Limited Liability Partnership</p> <p><input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Joint Venture <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation ("C")</p>
<p>IF CORPORATION, please check all the type(s) below that are applicable:</p> <p><input type="checkbox"/> For Profit <u>or</u> <input type="checkbox"/> Non Profit <input type="checkbox"/> Public <u>or</u> <input type="checkbox"/> Private</p> <p><input type="checkbox"/> S Corporation <input type="checkbox"/> Professional <input type="checkbox"/> Parent-Subsidiary <input type="checkbox"/> Close</p>
<p>State of Incorporation, Registration or Formation:</p> <p>State: Month: Year:</p>
<p>Name(s) of Owner(s) or Partners (or Owner of DBA if applicable)</p> <p>Please indicate if any such individual(s) were employed by DFW Airport and the dates employed:</p>
<p>Name(s) of Joint Venture Participants, if applicable</p> <p>Please indicate if any such individual(s) were employed by DFW Airport and the dates employed:</p>
<p><u>UNLESS PUBLICLY TRADED</u> list all individuals, partnerships, corporations or other entities having <u>at least 10%</u> ownership in the business <u>and indicate their percentage of ownership</u>. Please indicate if any such individual(s) were employed by DFW Airport and the dates employed. Attach additional sheets if necessary.</p>
<p>Form Completion Date:</p>
<p>Failure to properly complete and submit this form with the bid/proposal/offer may cause the bid/proposal/offer to be considered non-responsive (Form Revised 10/13)</p>

**Form 2
Work Force Composition Form
(PRIME CONTRACTOR)**

NAME OF BIDDING FIRM / CONTRACTOR _____

DATE _____

Classification	American Indian or Alaskan Native			Asian or Pacific Islander			Black			Hispanic			White			Total Number of Full Time Employees			
	M	F	%	M	F	%	M	F	%	M	F	%	M	F	%	M	F	ALL	%
M=Male / F=Female																			
Officials and Managers																			
Professionals																			
Technicians																			
Sales Workers																			
Administrative Support Workers																			
Craft Workers																			
Laborers and Helpers																			
Service Workers																			
TOTAL																			

Definitions in accordance with Equal Employment Opportunity (EEO)

American Indian or Alaskan Native	A person having origins in any of the original peoples of North America, and who maintain their culture through a tribe or community
Asian or Pacific Islander	A person having origins in any of the original people of the Far East, Southeast Asia, India, or the Pacific Islands. These areas include, for example, China, India, Korea, the Philippine Islands, and Samoa.
Black	A person having origins in any of the black racial groups of Africa.
Hispanic	A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
White	A person with origins in Europe, North Africa, or the Middle East.

REMARKS:

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Form 3 – INTENT TO PERFORM CONTRACT AS A SBE SUBCONTRACTOR¹ (Rev 05/01/2018)

Submission of the **Intent to Perform as a SBE Subcontractor** form for each SBE firm shall constitute a representation by the Prime Contractor to the Airport Board that it believes such SBE to be certified as a SBE to perform the work as designated, the SBE has a place of business in the Airport Board's market area and the SBE is not affiliated with the Contractor as defined herein. It shall also represent a commitment by the Contractor that if it is awarded the Contract, it will enter into a subcontract with such SBE for the work described at the approximate price and percentage set forth.

PRIME CONTRACTOR / CONSULTANT			
Contract / Solicitation Number:		9500636	
Name of Prime Contractor:			
Address, City, State and Zip Code:			
The Prime Contractor designates the following person as their high-level official designated to administer and coordinate the efforts to carry out the SBE policy on behalf of the Prime Contractor.			
Name:		Title:	
E-Mail Address:		Phone Number:	
DECLARATION OF PRIME CONTRACTOR			
I HEREBY DECLARE AND AFFIRM that as a duly authorized representative of the Prime Contractor stated above, I have personally reviewed the material and facts set forth in this form. To the best of my knowledge, information and belief, the facts and representations contained in this form are true and the owner or authorized agent of the SBE firm stated above signed this form in the place indicated, and no material facts have been omitted. The undersigned affirms that the Prime Contractor has no ownership or financial interest in the SBE subcontracting firm stated below. Except as authorized by the Vice President of Business Diversity & Development Department or his designee, the undersigned shall enter into a formal agreement (which shall include all audit and records provisions required by the Board) with the listed SBE firm for work as indicated by this form within ten (10) business days after receipt of the contract executed by the Airport. The undersigned will, if requested, provide said Vice President or his designee a copy of that agreement within five (5) business days of the written request. Pursuant to State Law, any person [entity] who makes a false or fraudulent statement in connection with the participation of a SBE in any locally funded project or otherwise violates applicable program requirements may be referred for prosecution.			
Signature of Prime Contractor:		Date:	
SBE SUBCONTRACTOR / SUBCONSULTANT / SUPPLIER AT ANY TIER			
The Airport requires that small business enterprises be certified as SBEs by an approved certification agency as defined in the SBE Program Policy and Procedures. Effective 10/1/12, in addition to having a valid certification, SBEs must have a place of business in the Airport's market area ² at the time of bid/proposal submission for credit towards meeting a contract goal.			
The undersigned SBE subcontractor has a place of business in the Airport's market area.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
The undersigned SBE subcontractor is not affiliated with the Prime Contractor as defined in the SBE Program Policies and Procedures.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Name of SBE Subcontractor:			
Address, City, State and Zip Code:			
Contact Person:			
E-Mail Address:		Phone Number:	
Scope of Work: (where applicable specify "supply" or "install" or both)			
Price:			
SBE Certification #:		Certification Agency:	
Percentage (%) of the proposed subcontract described above will be sublet and/or awarded to a Non-SBE subcontractor.			_____ %
If the SBE shown above is not a direct first tier subcontractor, subconsultant or supplier to the Prime Contractor shown above, please indicate the name of the subcontractor, subconsultant or supplier <u>and</u> tier level that will be utilizing your participation for SBE credit.			
DECLARATION OF SBE SUBCONTRACTOR			
I HEREBY DECLARE AND AFFIRM that as a duly authorized representative of the Subcontractor stated above, the facts and representations contained in this form are true. The undersigned affirms that the Prime Contractor has no ownership or financial interest in the SBE subcontracting firm stated above. I also agree, for good and valuable consideration (including the opportunity to participate in this solicitation as a proposed subcontractor), the receipt and sufficiency of which is hereby acknowledged, that if the Subcontractor performs any work for the Prime Contractor as the result of a contract awarded to the Prime Contractor for this solicitation, the Subcontractor will maintain and the Board shall have the right to examine and make copies of all records, documents, books, statements, checks, invoices, and any other supporting evidence deemed necessary by the Board to substantiate compliance with the terms of this Contract, including any Change Orders. Such right of examinations shall include, but not be limited to, reasonable access to and cooperation by all Subcontractor personnel. Subcontractor agrees to provide the Board with retrievals of computer-based records or transactions that the Board determines to be necessary to conduct any audits. Subcontractor agrees that there shall be no charge to the Board for Subcontractor's costs of providing records, documents, and assistance for audits, and to provide to the Board within seven (7) calendar days all records, documents, retrievals, and other assistance requested.			
Signature of SBE Subcontractor		Date	

¹ Any named person, firm, partnership, corporation, association or joint venture as herein provided identified as providing work, labor, services, supplies, equipment, materials or any combination of the foregoing, under contract to a prime contractor on an Airport contract at any tier.

² The Airport's market area is defined as the North Texas Commission twelve-county area of Dallas, Tarrant, Collin, Delta, Denton, Ellis, Hunt, Johnson, Kaufman, Parker, Rockwall and Wise counties.

Form 4
COMMITMENT TO SMALL BUSINESS ENTERPRISE (SBE)
PARTICIPATION FORM

(This form is required as part of the bid/proposal submission.)

The SBE goal for Solicitation/Contract #9500636 is 5%.

NOTE: *The BDDD will only credit SBE participation that is certified by an approved certification entity at the time of bid/proposal submission. DBE certificates will no longer be accepted for SBE credit. Effective 10/1/12, in addition to having a valid certification, SBEs must also have a place of business in the Airport's market area³ at the time of bid/proposal submission for credit towards meeting a contract goal.*

The undersigned Contractor has satisfied the requirements of the bid/proposal specifications in the following manner (Please check (✓) the appropriate space):

- Self-Performance: The proposer, a certified SBE firm, is committed to meeting or exceeding the SBE goal through self-performance.
- Self-Performance & Percentage Participation: The proposer, a certified SBE firm, is committed to meeting or exceeding the SBE goal, with a minimum of _____% self-performance and a minimum of _____% SBE subcontracting participation on this contract.
- Percentage Participation: The proposer is committed to meeting or exceeding the SBE goal, with a minimum of _____% SBE subcontracting participation on this contract.
- The Contractor is unable to meet the SBE goal of _____% and is committed to a minimum of _____% SBE utilization on this contract and submits documentation demonstrating good faith efforts.
- The Contractor is unable to meet the SBE goal of _____% and submits documentation demonstrating good faith efforts.

Name of Prime Contractor: _____

Signature Title

Printed Name Date

SBE Commit Form Updated 12/2015

³ *The Airport's market area is defined as the North Texas Commission twelve-county area of Dallas, Tarrant, Collin, Delta, Denton, Ellis, Hunt, Johnson, Kaufman, Parker, Rockwall, and Wise counties.*

Form 5

SCHEDULE OF SUBCONTRACTORS¹ (PRELIMINARY)

Prime Bidder/Contractor: _____
 SBE MBE WBE NON-S/M/WBE

Contract Name: _____

Contract/Solicitation Number: _____

As part of the procedures for the submission of a completed bid/proposal, all bidders/proposers are required to identify ALL participating subcontractors applicable to the above project and include this form as part of the bid. Check all Certification Status categories that apply to each subcontractor; however, **only the shaded category shall be credited towards the established diversity goal.** Verify that the proposed subcontractor-for-credit has a place of business in the Airport's Relevant Market Area³ (not applicable to DBE goals). The submission of this information is considered an issue of responsiveness, and the Airport Board will not award a contract to any Contractor who has not supplied this documentation. Use additional sheets if necessary.

Name of Subcontractor(s)	Certification Status ² (check the applicable)				Market Area ³ County	Description of Material or Service Being Provided or Performed	Dollar Amount and Percentage of Work	
	SBE	MBE	WBE	NON			\$\$\$	%
	Dollar Amount & Percentage of Work to be completed by Non-SBE Subcontractors							
	Dollar Amount & Percentage of Work to be completed by SBE Subcontractors							
	Dollar Amount & Percentage of Work to be self-performed by the Prime							
	Total Dollar Amount & Percentage of Work (The Total Amount shall equal the amount proposed on summary of bid/proposal page).							100%

NOTE: Certification certificate(s) MUST be attached to this form or bid/proposal will be deemed non-responsive.

PRIME CONTRACTOR'S CERTIFICATION

The above information is true and complete to the best of my knowledge and belief. I further understand and agree that if awarded the contract, this certification shall be attached thereto and become a part thereof. Failure to provide accurate and complete information or exercise positive, good faith efforts (as defined by the Board's SBE Program) in support of the Board's small/minority/woman-owned business intent and objective may result in being considered non-responsive to the Board's requirements. Furthermore, it is understood and agreed that, if awarded a contract by the Airport Board, the Contractor will not make additions, deletions or substitutions to this certified list of SBE subcontractors without the consent of the Board's Vice President of Business Diversity & Development Department (BDDD) or designee through the submittal of the SBE *Form 102, Request for Approval of Change to Final Schedule of Subcontractors* if this is determined to be the final schedule. The BDDD reserves the right to ensure compliance with the Board's SBE programs as deemed necessary including but not limited to audits of submitted SBE information applicable to the Contractor/subcontractors participating on the contract.

Name and Title of Authorized Representative _____
(Please print or type)

Signature: _____ Date: _____

¹ Any named person, firm, partnership, corporation, association or joint venture as herein provided identified as providing work, labor, services, supplies, equipment, materials or any combination of the foregoing, under contract to a prime Contractor on an Airport contract at any tier.
² In order to credit the participation of small/minority and woman-owned businesses, firms must be certified as SBEs by a certification agency approved by the Airport Board as defined in the SBE Policies and Administrative Procedures.
³ In addition to having a valid certification, the SBE must have a place of business in the Airport's market area at the time the bid/proposal is submitted for credit towards meeting an SBE goal, which is defined as the North Texas Commission twelve-county area of Dallas, Tarrant, Collin, Delta, Denton, Ellis, Hunt, Johnson, Kaufman, Parker, Rockwall and Wise counties.

Form 6 – Verification of Contracting Prohibitions

I, (authorized official) _____ [insert name and title], on behalf of Bidder/Proponent, verify that:

- 1) Bidder/Proponent does not engage in any of the activities listed in the clause entitled "Contracting Prohibitions" set forth in the solicitation documents and contract; and
- 2) This verification will apply to any contract awarded to Bidder/Proponent.

Date: _____

Bidder/ Proponent:

[Insert Name]

By: _____

Name: _____

Title: _____

Notary Public (Seal)

My Commission Expires: _____

Appendix 5 – The Agreement

Provided at www.dfwairport.com/business/solicitations

Appendix 6 – Bid Schedule

Provided at www.dfwairport.com/business/solicitations

Appendix 7 – Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned, _____
 as Principal, and _____
 as Surety, are hereby held and firmly bound unto the Dallas Fort Worth International Airport Board, as BOARD, in the
 penal sum of _____
 (\$ _____) Dollars for the payment of which, well and truly to be made, we hereby
 jointly and severally bind ourselves, our heirs, executors, administrators, successors and assigns.

SIGNED this _____ day of _____, 2018.

The Condition of the above obligation is such that whereas the Principal has submitted to the Dallas Fort Worth International Airport Board, a certain Bid, attached hereto and hereby made a part hereof to enter into a contract in writing, for Eastside Plant Soil Failure, Contract No. 9500636.

NOW, THEREFORE,

(a) If said Bid shall be rejected, or in the alternate,

(b) If said Bid shall be accepted and the Principal shall execute and deliver a contract in the Form of Contract attached hereto (properly completed in accordance with said Bid) and shall furnish a bond for the firm's faithful performance of said contract, and for the payment of all persons performing labor or furnishing materials in connection therewith, and shall in all other respects perform the agreement created by the acceptance of said Bid,

then this obligation shall be void; otherwise the same shall remain in full force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated.

IN WITNESS WHEREOF, this instrument is executed in two copies, each one of which shall be deemed an original, this the _____ day of _____, 2018.

PRINCIPAL

BY: _____

SURETY: _____

BY: _____

The Resident Agent of the Surety in Dallas or Tarrant County, Texas, is:

NAME: _____ ADDRESS: _____

Appendix 8 – Solicitation Schedule

Eastside Plant Soil Failure CONTRACT NO. 9500636

Advertisements	July 1, 8, 15, 2018
Bid Documents, Plans and Specifications available on website	June 29, 2018
Pre-Bid Conference DCC Rm 112 Site Visit after Conference	July 10, 2018, 2:00pm
Deadline for Questions	July 26, 2018, 5:00pm
Issue Addenda (if applicable)	August 3, 2018
Bid Opening DCC Rm 112	August 13, 2018, 1:00pm
Airport Board Action	October, 2018
Estimated Notice to Proceed	October, 2018
Estimated Contract Duration	150 Calendar Days

Bid Packages in response to this RFB must be received by Board’s Program Solicitation Manager, Travis Sanderfer, at the following address: Design, Code and Construction Department, 3003 South Service Road, DFW Airport, Texas 75261, no later than listed due date and time above. Any Bid Package received after this time will not be considered and will be rejected and returned.

Solicitation Questions – All e-mails must be addressed to DFWAirportSolicitations@DFWAirport.com and include in the Subject Line “Questions Regarding Agreement No.9500636 Eastside Plant Soil Failure”. Questions received after the designated submittal date will not be considered.