

# City of Farmers Branch



## REQUEST FOR QUALIFICATIONS (RFQ) FOR ARCHITECTURAL SERVICES FOR FARMERS BRANCH PUBLIC LIBRARY NEW CONSTRUCTION BIDS CITY OF FARMERS BRANCH

**December 12, 2018**



## Table of Contents

OVERVIEW.....	3
BACKGROUND AND LOCATION .....	4
STATEMENT OF PURPOSE .....	5
FUTURE LIBRARY DETAILS .....	5
OBJECTIVES .....	7
SCOPE OF WORK.....	8
ARCHITECT/ENGINEER SCOPE OF WORK .....	9
PROJECT FUNDING .....	12
SELECTION PROCESS .....	12
NEW LIBRARY FEATURES/EXPECTATIONS .....	13
EVALUATION CRITERIA.....	15
ADDITIONAL INSTRUCTIONS, NOTIFICATIONS AND INFORMATION.....	16
SUBMITTAL INSTRUCTIONS .....	17
CONTENT OF SUBMITTAL.....	18

**REQUEST FOR QUALIFICATIONS (RFQ)  
FOR ARCHITECTURAL SERVICES FOR  
FARMERS BRANCH PUBLIC LIBRARY  
– NEW CONSTRUCTION**

## **OVERVIEW**

The City of Farmers Branch invites the submittal of responses to this RFQ from qualified firms interested in providing architectural services in connection with the planning for construction of a new Public Library that will be **contingent on voter approval during a bond election in May 2019**. Responses are solicited for this service in accordance with the terms, conditions, and instructions set forth in the RFQ guidelines.

The City will receive responses to this RFQ at the offices of Lee Hammock, Purchasing Agent, 13000 William Dodson Parkway, Farmers Branch, Texas, 75234 until January 18, 2019. His preferred method of contact is email: [lee.hammock@farmersbranchtx.gov](mailto:lee.hammock@farmersbranchtx.gov)

The Request for Qualifications document may be obtained from Mr. Hammock's office. Request for Qualifications documents will be mailed upon request; however, the City is not responsible to ensure timely delivery of mailed Request for Qualification documents.

Receipt of responses does not bind the City to any contract for said services, nor does it guarantee that a contract for the Project will be awarded.

Selected Architectural groups will be interviewed during the week of January 27, 2019.

## BACKGROUND AND LOCATION

The Farmers Branch Public Library (current Library is called the Manske Library) is located at 13613 Webb Chapel road, on the NW corner of Webb Chapel and Golfing Green. It sits in Rawhide Park with a warm and inviting ambiance for visiting patrons, and is centrally located to the City's schools, residents, and businesses. The City wants to build a new library directly across the street from the existing Library on the SW corner of Webb Chapel and Golfing Green. The site is approximately 3.33 acres and is owned by the City.

The building that is the current Library has lived multiple lives starting as a commercial building and later as a fire station before becoming the City's Library in 1974. It underwent significant renovations in 1985 to expand its footprint to the current 33,000 Square Feet. It proudly serves the residents of Farmers Branch, and immediate surrounding communities, with a growing population project to grow to 50,000 in the next 5-10 years. This Library-in-a-Park is a value to the residents of Farmers Branch and provides access to a generous collection of 485,000 print and electronic materials and hosted over 160,000 visitors in the last year.

The Library is enthusiastically guided by an 11-member Resident Advisory Library Board that is appointed by the Farmers Branch City Council. The Library's management is coordinated through a contract with Library Systems and Services (LS&S). The Library reports directly to the City Manager's Office.

Recent community surveys indicate the Library is used for checking out materials, accessing Internet on public computers or personal devices, reading and studying, attending programs, and in general, enjoying the library space.



**REQUEST FOR QUALIFICATIONS  
(RFQ) FOR ARCHITECTURAL  
SERVICES FOR FARMERS BRANCH  
PUBLIC LIBRARY – NEW  
CONSTRUCTION**

## **STATEMENT OF PURPOSE**

The City of Farmers Branch has prepared this Request for Qualification for qualified consultants to develop a facility space needs-assessment and prepare a building program for a new Library located at the southwest corner of Webb Chapel Road or Golfing Green Drive. The purpose of this request is to explore construction for a new Public Library. The new building should accommodate a growing and demographically diverse population, study rooms and meeting rooms, open gathering spaces, growing services and programs, innovative technological services, ease of access for all persons throughout the library, ample parking for every day and special events and collaborative, productive and open staff areas for maximum productivity. Taking into account surrounding parks and trails, this new Library should effectively serve this community over the next 50 years.

## **FUTURE LIBRARY DETAILS**

To help understand the constraints associated with the building a new Library, the size should be similar to the current Library and range between 30,000 and 35,000 square feet. The anticipated bond amount to fund the new Library will be \$20,000,000. This amount will include everything for a complete Library, including fixtures and furnishings. The new Library will be located on approximately 3.33 acres of City-owned property at the southwest corner of Web Chapel Road and Golfing Green Drive in Farmers Branch, TX 75234.

Library Site Overview



Library Site Contours





## OBJECTIVES

The City proposes to retain a highly qualified, capable firm to act as the Architect for a fixed price. Those firm(s) who participate in this RFQ process are sometimes referred to as "Respondents" and "Architects."

The City will give prime consideration to the Architect with significant, current experience in the development, design, and construction of libraries. The City reserves the right to negotiate with one or more parties and is not obligated to enter into any contract with any Respondent on any terms or conditions. This project is contingent upon a bond election.

## SCOPE OF WORK

- A. The selected Architect(s) will be required to perform the architectural and engineering services to be specified more fully in a contract agreement to be negotiated after selection. The contract agreement will provide for payment for phases of work completed with options to proceed through all phases or to discontinue work as the circumstances may dictate. Upon selection of a Respondent with whom negotiations will proceed, a Scope of Work will be developed. The City anticipates a contract which will include programming, schematic design, production of computer generated renderings, and cost estimation; however, the City reserves the right to include additional project elements in the initial or subsequent professional services agreements as the City may (in its sole discretion) deem appropriate. The City will not use the standard AIA contract documents to secure the professional services herein described. The Architect will be required to retain and be responsible for all basic engineering disciplines such as mechanical, electrical, plumbing, fire protection, landscape architecture, civil engineering, and structural engineering as appropriate for the Scope of Work negotiated. The Architect is also required to identify and select the appropriate sub-consultants; however, the City reserves the right to approve proposed sub-consultants that will be associated with the Project.
- B. Community Input: A new Library has been a constant point of discussion with major renovations discussed with the Citizen Bond Committee during the last bond program in 2017. The Library was placed as a tier II priority project and is currently the only project from the tier I or II priority ranking from the quality of life bond discussion that has not been addressed. Multiple City Council and Library Board meetings have discussed the concept of a new Library. The new Library will warrant multiple community meetings if the bond is approved in May 2019 to refine and fully develop the concept of the next Library. Farmers Branch is committed to include the community in the conceptual design process of the project. Therefore, the selected Architectural firm will be required to participate in a minimum of five community meetings during the design phase of the project to allow for residents input on the conceptual design & positioning of the Library on the site.
- C. The City will use the services of a Construction Manager Agent. The Construction Manager Agent will serve as an integral team member from the inception of the programming and design efforts. Furthermore, the Construction Manager Agent will be used, in conjunction with the design team, as the cost estimator, project scheduler, and the implication of phasing alternatives for the projects upon completion of plans sufficient to estimate the project. The Architect will coordinate and cooperate fully with the Construction Manager Agent. Initial planning phase cost estimates will be provided by the Architect.

# ARCHITECT/ENGINEER SCOPE OF WORK

Presented below is a general outline of consultant services that may be required for this project.

## Pre-Design Services

Conduct a pre-design review with the Owner's staff to establish criteria for the master plan, programming and design of the facility. Participate and prepare minutes in pre-design meetings with the Owner, site committees and other consultants meetings to develop master planning, programming, site layouts, conceptual budgeting and when gathering existing available site information provided by the Owner.

## Design Services

Prepare schematic design drawings, existing conditions base documents, design development drawings, and construction drawings; final construction documents; and bid documents for all work outlined in the beginning of this section in compliance with current local Building Codes, other applicable ordinances, and municipal, state and federal regulatory requirements. Prepare and distribute meeting minutes.

### 1. Existing Conditions Base Documents

- a. Attend meetings. Lead architect and consultants as required.
- b. A/E team is to conduct a thorough visual survey of the Site, verify and document the existing conditions in base drawings to be used for the design work.
- c. These base drawings shall include (at a minimum) architectural floor plans and exterior building elevations; mechanical, plumbing and electrical floor plans and site plans for each discipline. These will be part of the schematic design phase in addition to any new design and other work.

### 2. Schematic Design Phase

- a. Provide programming, schematic design documents, drawings, and outline specifications developed around the City standards.
- b. Provide area and space tabulations by use, room, and building along with a balanced budget.
- c. Provide certification that the design can be constructed within the budget.
- d. Respond in writing to design review comments from the Owner's designated representative to incorporate those approved.
- e. Make submittals to the City's Engineering Department, Building Inspection Department, Fire Marshal's office, and any other required agencies. Submittal will be coordinated through the Owner's designated representative and Construction Manager.
- f. The design team will make schematic presentations to the local public stakeholders during the evening as necessary.

### 3. Design Development Phase

- a. Attend meetings. Lead architect and consultants as required.
- b. Development of the approved schematic phase documents and base drawings to design development level for submittals to the City Manager's Office. Submittals shall



have accurately sized all equipment and materials to a degree that an accurate cost estimate can be prepared.

- c. Develop alternates as required to allow options to keep project within budget.
- d. Provide value engineering recommendations and solutions if budget constraints are exceeded.
- e. Respond in writing to design review comments from the Owner's designated representative to incorporate those approved.
- f. Provide certification that the design can be constructed within the budget.
- g. The design team will make design development presentations to the local public stakeholders during the evening as necessary.

#### 4. Construction Documents

- a. Attend meetings. Lead architect and consultants as required.
- b. Coordinate and integrate Construction Manager requested changes, owner-supplied equipment and pre-purchased materials as applicable.
- c. Provide documents that are fully coordinated with each design discipline.
- d. Produce complete documents required for the Construction Manager to advertise for construction bids. All drawings and specifications shall be stamped and signed by Texas licensed engineers and architects.
- e. Respond in writing to design review comments from the Owner's designated representative to incorporate those approved.
- f. Provide certification that the design can be constructed within the budget.
- g. Make submittals to the City's Engineering Department, Building Inspection Department, Fire Marshal's office, and any other required agencies. Submittal will be coordinated through the Owner's designated representative and Construction Manager.

#### 5. Design Review Procedures and Value Engineering

- a. Design Review - Designer will comply with requirements of the City of Farmers Branch design review process. This includes meetings with the Owner's designated representative and Construction Manager to review the design comments and incorporation of design review comments into the design document where directed by the Owner.
- b. The Design team may be asked to attend a Value Engineering Workshop for each discipline in the design team for 1 to 2 days.

#### 6. Pre-bid Services

- a. Attend Pre-bid Meeting conducted by the Construction Manager.
- b. Submit construction documents for TDLR and other agencies as required.
- c. Respond to Construction Manager's questions with written Addenda.

### Construction Support Services

- 1. Attend bid openings, council meetings, pre-bid meetings, pre-construction meetings and construction progress meetings.
- 2. Participate in Teaming sessions during the course of the contract.

3. Respond to Requests for Information (RFI) and other inquiries from the field.
4. Prepare and issue Architectural Supplemental Instructions (ASI) as required.
5. Prepare design changes to the work initiated by the Construction Manager.
6. Review and approve submittals, shop drawings, and substitutions.
7. Attend onsite construction meetings and weekly coordination meetings with Design Team, the Owner's designated representative and Construction Manager.
8. Conduct site observations as required by the Agreement with the Construction Manager.
9. Administrate the expeditious issuance and completion of architectural, mechanical, electrical, plumbing, roofing, site and landscaping punch lists. An above ceiling MEP punch list will also be required.

#### All Phases of the Work

1. The Architect shall work with the City Manager's Office, other consultants, and the Construction Manager through all phases of the contract. The Architect is also responsible for coordination and approval of the design with control agencies as applicable. The work will require meetings with various members of the team identified above, in the consultant's offices and at the construction site.
2. The Architect shall respond to all directives from the City Manager's Office and/or its representatives and act in a timely manner.
3. The Architect shall follow and implement all standard guidelines, specification and procedures used by the Public Library.
4. The Architect shall control and manage all sub consultants and be responsible for maintaining appropriate channels of communications with other team members. It is required that services will be performed by a firm with offices in the local area.
5. The Architect shall obtain required approval of documents from the City Manager's Office

#### Projected Timeline

Bond Election	May 2019
Master Planning and Programming	October 2019-November 2019
Schematic Design Phase	November 2019-February 2020
Design Development	May 2020-November 2020
Construction Documents	October 2020-November 2020
Bid Phase	December 2020-January 2021
Construction	February 2021-February 2022

This is an anticipated timeline based on the needs of the City of Farmers Branch and should be considered in the submission of a Statement of Qualifications for this project.

## PROJECT FUNDING

Funding for the work described herein will be provided from a General Obligation Bond if approved by the residents of Farmers Branch during a bond election in May 2019.

## SELECTION PROCESS

Selection of firms will follow the proposal-interview process.

From a review of the statements of qualification received, the City intends to invite several firms to be interviewed before making a final selection of a firm for this Project. If the City desires to interview a firm, that firm will receive notification of the date and time of the interview.

The City will use a Staff Evaluation Panel to initially evaluate the submittals. The statements of qualifications received will be one part of the selection process utilized by the City, together with the interviews, to determine if a consulting contract should be pursued. The Staff Evaluation Panel will recommend a short list to the Library Board for their consideration. The Library Board may request additional presentations and will then make a formal recommendation to City Council for their consideration. The Council may request that presentations be made in a City Council meeting to assist them in their decision. The City Council will make the final decision in the selection process.

The selected respondent then will negotiate with the City on fee and contract conditions. If a reasonable fee cannot be achieved with the respondent of choice, in the opinion of the City, negotiations will proceed with the second choice respondent until a mutually agreed contract can be negotiated.



## NEW LIBRARY FEATURES/EXPECTATIONS

Library spaces have been traditionally devoted to collections and materials, but trends are showing libraries as collaborative and interactive gathering spaces. Recently, our community hosted community meetings with stakeholder input that revealed our public's expectations for a new public Library. These expectations are not intended to limit creativity in responding to the RFQ, but to provide insight into the public's input, including emphasis on primary versus secondary considerations.

### Primary Considerations: Serve as a Library

1. Open Floorplan to include Flexible Spaces and Commons Areas
2. Designated Youth Areas - Children & Teens
3. Technology and Automation
4. Outdoor Integration and Park Inclusion

### Secondary Considerations: Nice to have, but not critical in full form

5. Sustainability
6. Art and Culture Inclusion

### Open Floorplan

- Modern contemporary design that maintains a warm and welcoming atmosphere, blending internal and external elements.
- Open spaces with seating and tables throughout. Spanish steps are an example of an open floorplan that has flexibility for multiple uses.
- Meeting Room spaces, including commons area(s) that can function independently of the Library; extended hours beyond the normal operating hours with minimal staffing requirements.
  - Study and small group meeting rooms are the most utilized rooms in the Library. The goal is to increase the functionality and quantity of these rooms.
  - The Library needs to have a large meeting room (for example; capacity to seat 200 or 150 seated with tables). Ideally, this room will be able to support most types of events from plays, to training events, to public meetings. This room should be very adaptable with no blind spots (however the room is configured, the display(s) can be seen – no intrusive columns). The ability for this room to split into two smaller rooms would be in alignment with community feedback.
  - A standard staff conference room should be part of the overall meeting space plan.
- Use of natural light using a combination of large glass windows and multiple-use construction materials.
- The building should be designed in a way to allow the Library to close and protect City assets, but be compartmentalized in a way to allow certain parts of the building to have extended hours. The meeting and study rooms, maker space, common area(s), and computer area are all rooms that might have an opportunity for extended hours with minimal staffing.

### Designated Youth Areas

- Children's Area should be a self-contained space that safely serves families with young children and tweens. It should provide computers and technology, reading materials, designated story time and craft space(s), and be innovative, fun, colorful, dynamic and

engaging.

- Teens are our future community builders so they should have a designated area that allows them to explore, collaborate, and come-and-go easily. It should be an inviting space for hanging out in small groups, using computers and online devices, gaming, reading and studying, and creating things. A “maker space” in close proximity to the Teen Area is ideal.
- Youth areas should function without fear of being a disruption to other areas of the Library.

### **Technology and Automation**

- A makerspace is a must. The definition of a maker space continues to change, but this space should be flexible enough to meet current and future needs of the community. Ideally, this room will be able to support creativity for all ages and act as an extension of the makerspaces found in the schools.
- A dedicated space for computers, such as a computer lab or computer open space with access to printing, scanning, and copying.
- While ample power outlets is considered a given, this is a major concern for a new Library.
- Self-service kiosks and automated check-in/out.

### **Outdoor integration and Park Inclusion**

- The Library should not end as you leave the building. The space for the Library is large enough to integrate the “City in a Park” theme that resonates throughout Farmers Branch. Outdoor seating, shade, and permanent active spaces should be part of the overall response. The current Library’s location will revert to a new park/playground if the new Library is constructed. The new park needs to be considered in the overall layout of the Library.

### **Sustainability**

- Permeable paving, solar power options, xeriscape, and zero-energy design features are important to integrate into the overall design. The City is not pursuing any type of LEED certification with the new Library at this time, but might be part of a future discussion.

### **Art Inclusion**

- The current Library has a dedicated art gallery; this space is underutilized. We would like to see opportunities for art integrated throughout the new Library, both internally and externally.



## EVALUATION CRITERIA

The Preliminary Evaluation Team will consist of: City Staff Representatives, Library Board, and Representatives of the Construction Manager firm.

The criteria used to evaluate the RFQ responses will include, but not be limited to, the following (items listed below are not listed in order of importance):

- A. Qualifications of Firm
- B. Qualifications of firm, specifically as they relate to this Project.
- C. Firm Experience on Similar Projects
- D. Related project experience of the firm(s) and the individuals who would be assigned to this Project.
- E. Available Resources to Complete Project
- F. This criterion would include the analytical, design tools, personnel, resources or methodologies commonly used by the firm that may be applicable to the project categories.
- G. Responsiveness to the RFQ
- H. This would include any documents submitted such as concept plans, conceptual renderings, space planning, concept and design concepts and other related items that support the firm's overall response to the RFQ and ability to integrate Section V: New Library Features/Expectations.
- I. Professional References

## ADDITIONAL INSTRUCTIONS, NOTIFICATIONS AND INFORMATION

- A. No Gratuities – Respondents will not offer any gratuities, favors, or anything of monetary value to any official or employee of the City for the purpose of influencing this selection. Any attempt by a Respondent to influence the selection process by any means, other than disclosure of qualifications and credentials through the proper channels, will be grounds for exclusion from the selection process. Accordingly, contacts with members of the Staff Evaluation Team, which are outside of the established process, should not be initiated.
- B. Information True – By submitting a response, Respondents represent and warrant to the City that all information provided in the response submitted shall be true, correct and complete. Respondents who provide false, misleading or incomplete information, whether intentional or not, in any of the documents presented to the City of Farmers Branch for consideration in the selection process may be excluded.
- C. Interviews – After the initial evaluation of the statements of qualifications, Respondents will be notified of their status in the selection process. Respondents who are "short-listed" should expect and anticipate subsequent interviews which will most likely focus not only on the Respondent's program approach but also on an appraisal of the design professionals who would be directly involved in the Project. "Short listed" respondents may be asked to make a presentation to the City Council. If a presentation to the Council is requested, it will be necessary that additional RFQ response submittals be provided by the "short listed" respondent.
- D. Inquiries – Do not contact the Mayor and City Council or the Staff Evaluation Team to make inquiries about the progress of this selection process. Respondents will be contacted when it is appropriate to do so. Process inquiries may be directed to Mr. Lee Hammock, Purchasing Agent for the City. His email is [lee.hammock@farmersbranchtx.gov](mailto:lee.hammock@farmersbranchtx.gov).
- E. Cost of Responses – The City will not be responsible for the costs incurred by anyone in the submittal of responses.
- F. Contract Negotiations – This RFQ is not to be construed as a contract or as a commitment of any kind. If this RFQ results in a contract offer by the City the specific scope of work, associated fees, and other contractual matters will be determined during contract negotiations. To ensure that the appropriate staff is assigned to the Project, the City intends to make the inclusion of a "key persons" clause a part of the contract negotiations.
- G. No Obligation – The City reserves the right to: (1) evaluate the responses submitted; (2) waive any irregularities therein; (3) select candidates for the submittal of more detailed or alternate proposals; (4) accept any submittal or portion of submittal; (5) reject any or all Respondents submitting responses, should it be deemed in the City's best interest; or (6) cancel the entire process.
- H. Professional Liability Insurance – The Respondent shall have the appropriate liability insurance written by an insurer authorized to transact insurance in the State of Texas.

## SUBMITTAL INSTRUCTIONS

Sealed submittals are required. Submittals must be delivered to Mr. Lee Hammock, Purchasing Agent, City of Farmers Branch, at the address set forth below at or before 3:00 pm on Friday, January 18, 2019. All submittals must be labeled on the outside with the Respondent's name, the name of the Project – "Farmers Branch Library Project." Late submittals may not be considered.

Three (3) copies of the response are to be addressed to:

Mr. Lee Hammock  
Purchasing Agent  
City of Farmers Branch  
13000 William Dodson Parkway  
Farmers Branch, TX 75234

To enable the City to efficiently evaluate the responses, it is important that Respondents follow the required format in preparing their responses. **RESPONSES THAT DO NOT CONFORM TO THE PRESCRIBED FORMAT MAY NOT BE EVALUATED.**

Each copy of the response shall be bound using a semi-permanent binding method, to ensure that pages are not lost. Pages shall be no larger than letter size (8" by 11") or, if folded to that dimension, twice letter size (11" by 17") each section (defined below) shall be separated by a tabbed divider. Elaborate covers and permanent binders are not required.



## CONTENT OF SUBMITTAL

Each response shall be submitted as outlined in this section. Please include an outside cover and/or first page, containing the name of the Project.

A table of contents should be next, followed by dividers separating each of the following sections:

- **Divider #1: Letters**

The first page following the divider shall be a letter transmitting the response to the City and stating that the proposal set forth in it remains effective for a period of 90 calendar days. At least one copy of the transmittal letter shall contain the original signature of a partner, principal, or officer of the Respondent.
- **Divider #2: Firm Information**
  - a. Firm name, addresses, and telephone numbers of all firm offices.
  - b. Structure of firm, i.e., sole proprietorship, partnership, corporation, and size of firm.
  - c. Year's firm has been in business.
  - d. Names of principals in firm.
  - e. Primary contact.
  - f. Organizational description.
  - g. Description of firm's philosophy.
- **Divider #3: General Company History/Qualifications**
  - a. A brief history of the Architect and the services routinely provided in-house on municipal (or related) building projects.
  - b. An organization chart that explains team member responsibilities.
  - c. The resumes of all persons to be assigned to the project with their prospective roles identified.
  - d. Documentation that the firms on the Architect's team (architects and engineers) are registered in the State of Texas.
- **Divider #4: Financial and Legal Status**
  - a. Describe the general financial capability of the Respondent. If requested during the selection or negotiation process a financial statement and balance sheet may be required.
  - b. List any actions taken by any regulatory agency against or involving the firm or its agents or employees with respect to any work performed.
  - c. List all litigation against or involving the firm or its agents or employees with respect to any work performed.
  - d. All insurance coverage that the firm has which would be applicable to the work.

- **Divider #5: Experience and References**

- a. Discussion of Architect's experience in working with Government Agencies.
- b. List of all representative Municipal (and Governmental) projects, whether ongoing or completed, including references. Please begin with projects in Texas. For each, please provide:
  - i. Project name and location
  - ii. Year completed
  - iii. Short description of project
  - iv. Names, addresses, and phone numbers of owner and contact person tasked with daily responsibilities of project.
  - v. Names, addresses and telephone numbers of general contractor and engineer
  - vi. Design and construction cost and whether or not it was within the project budget.
  - vii. Construction time and whether or not it was completed on time.
- c. List of all projects currently under contract.

- **Divider #6: Management and Organizational Approach** – on two pages or less, please describe your management and organization approach to the project. The following should be addressed within this description:

- a. Please describe your firm's understanding of the project.
- b. Describe how the firm will organize to perform the services.
- c. Describe how the firm will solicit in the programming and design phases the interested stakeholders. This includes community residents, city council, staff and users.
- d. Provide procedures for assisting in the development of project scheduling, coordination of consultants, quality and cost control.
- e. Describe the architectural team's approach to communication with the City and Construction Manager.
- f. Description of Architect's approach to code analysis and jurisdictional approvals.

- **Divider #7 Visuals** - concept plans, conceptual renderings, space planning, concept and design concepts that bring your firm's qualifications to life through your unique vision for the future Farmers Branch Library in relation to Section V: New Library Features/Expectations

- a. Show how non critical components such as art would be integrated into the Library.
- b. Show park integration and the overall energy that your concept would create.
- c. Show how the Library would sit on the property and look from the street, park, and neighborhood.
- d. Show any looks that highlights how your firm would implement the features and expectations for a new Library in New Library Features/Expectations section.

Note: In the event that two or more architectural firms are collaborating on their response, dividers 2-6 must be filled out for each company, with responsibilities clearly delineated between firms.



**Sub-Consultants** – List up to three firms in each discipline you normally associate with. Rank in order of preference.

#### Structural Engineer

Firm Name:

Lead Engineer:

Structural Registration number:

Date of Registration:

Business Address:

Phone:

Total number of jobs, responsible for engineering services with your firm:

Number of municipal projects in last five years:

#### Mechanical/Plumbing Engineer

Firm Name:

Lead Engineer:

Mechanical Registration number:

Date of Registration:

Business Address:

Phone:

Total number of jobs, responsible for engineering services with your firm:

Number of municipal projects in last five years:

#### Electrical Engineer

Firm Name:

Lead Engineer:

Electrical Registration number:

Date of Registration:

Business Address:

Phone:

Total number of jobs, responsible for engineering services with your firm:

Number of municipal projects in last five years:

#### Civil Engineer

Firm Name:

Lead Engineer:

Registration number:

Date of Registration:

Business Address:

Phone:

Total number of jobs, responsible for engineering services with your firm:

Number of municipal projects in last five years:

### Landscape Architect

Firm Name:

Landscape Architect:

Registration number:

Date of Registration:

Business Address:

Phone:

Total number of jobs, responsible for Landscape Architectural services with your firm:

Number of municipal projects in last five years:

### Roofing Consultant

Firm Name:

Contact:

Business Address:

Phone:

Total number of jobs, responsible for Roof Consulting services with your firm:

Number of municipal projects in last five years:

## DISCLOSURE OF CERTAIN RELATIONSHIPS

Effective January 1, 2006, Chapter 176 of the Texas Local Government Code requires that any vendor or person considering doing business with a local government entity disclose in the Questionnaire Form CIQ, the vendor or person's affiliation or business relationship that might cause a conflict of interest with a local government entity. By law, this questionnaire must be filed with the records administrator of the City of Farmers Branch not later than the 7<sup>th</sup> business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code. A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor. Chapter 176 and the questionnaire may be found at [www.farmersbranchtx.gov](http://www.farmersbranchtx.gov).

By submitting a response to this request, vendor represents that it is in compliance with the requirements of Chapter 176 of the Texas Local Government Code.

Since this contract requires action by the City Council of Farmers Branch, the successful bidder(s) shall also be required to electronically file Form 1295 with the Texas Ethics Commission (TEC) and provide the City of Farmers Branch a completed Form 1295 and certification of such filing by TEC.

# CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

FORM CIQ

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

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

## OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

2 ☐ Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information in this section is being disclosed.

\_\_\_\_\_  
Name of Officer

This section (item 3 including subparts A, B, C, & D) must be completed for each officer with whom the vendor has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes

☐ No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

☐ Yes

☐ No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more?

☐ Yes

☐ No

D. Describe each employment or business and family relationship with the local government officer named in this section.

4

\_\_\_\_\_  
Signature of vendor doing business with the governmental entity

\_\_\_\_\_  
Date

## Changes to Form 1295

Changes to the [law](#) requiring certain businesses to file a Form 1295 are in effect for contracts entered into or amended on or after January 1, 2018. The changes exempt businesses from filing a Form 1295 for certain types of contracts and replace the need for a completed Form 1295 to be notarized. Instead, the person filing a 1295 needs to complete an “unsworn declaration.”

**What type of contracts are exempt from the Form 1295 filing requirement under the amended law?**

The amended law adds to the list of types of contract exempt from the Form 1295 filing requirement. A completed Form 1295 is not required for:

- a sponsored research contract of an institution of higher education;
- an interagency contract of a state agency or an institution of higher education;
- a contract related to health and human services if:
  - the value of the contract cannot be determined at the time the contract is executed; and
  - any qualified vendor is eligible for the contract;
- a contract with a publicly traded business entity, including a wholly owned subsidiary of the business entity;\*
- a contract with an electric utility, as that term is defined by Section 31.002, Utilities Code;\* or
- a contract with a gas utility, as that term is defined by Section 121.001, Utilities Code.\*

The newly exempt contract types are marked with an asterisk.

**Why do I need to include my date of birth and address when I sign Form 1295?  
Was this always the case?**

In 2017, the legislature amended the [law](#) to require Form 1295 to include an “unsworn declaration” which includes, among other things, the date of birth and address of the authorized representative signing the form. The change in the law applies to contracts entered into, renewed, or amended on or after January 1, 2018. The unsworn declaration, including the date of birth and address of the signatory, replaces the notary requirement that applied to contracts entered into before January 1, 2018.



**Will my date of birth and address appear on the TEC's website when I file the form?**

No. The TEC filing application does not capture the date of birth or street address of the signatory and it will not appear on forms that are filed using the TEC filing application.

Although the TEC does not capture the date of birth and street address of the signatory, the contracting state agency or governmental agency will have a physical copy of the form that includes the date of birth and address of the signatory. The TEC cannot answer whether the contracting state agency or governmental agency may release such information. Questions regarding the Texas Public Information Act may be directed to the Office of the Attorney General. *See also Paxton v. City of Dall.*, No. 03-13-00546-CV, 2015 Tex. App. LEXIS 5228, at \*10-11 (App.—Austin May 22, 2015) (mem. op.) (pet. denied) (*available [here](#)*).

# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.  
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

## OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:  
2018-310653

Date Filed:  
02/06/2018

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Vanguard Utility Service, Inc.  
Owensboro, KY United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Farmers Branch

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

Bid 18-03  
Large Size Water Meter Replacement 2017-2018

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO interested Party.



### 6 UNSWORN DECLARATION

My name is \_\_\_\_\_, and my date of birth is \_\_\_\_\_.

My address is \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.  
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in \_\_\_\_\_ County, State of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
(month) (year)

\_\_\_\_\_  
Signature of authorized agent of contracting business entity  
(Declarant)

## **ABOUT FORM 1295**

### **1. Who is required to file Form 1295?**

In 2015, the Texas Legislature adopted House Bill 1295, which added section 2252.908 of the Government Code. The law states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties (Form 1295) to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The Texas Ethics Commission has adopted rules requiring the business entity to file Form 1295 electronically with the Commission.

### **2. What contracts does Form 1295 apply to?**

The law applies only to a contract of a governmental entity or state agency that either:

- (1) requires an action or vote by the governing body of the entity or agency before the contract may be signed; or
- (2) has a value of at least \$1 million.

Gov't Code § 2252.908. The disclosure requirement applies to a contract entered into on or after January 1, 2016.

A contract does not require an action or vote by the governing body of a governmental entity or state agency if:

- (1) the governing body has legal authority to delegate to its staff the authority to execute the contract;
- (2) the governing body has delegated to its staff the authority to execute the contract; and
- (3) the governing body does not participate in the selection of the business entity with which the contract is entered into.

1 T.A.C. § 46.1(c).

### **3. Can I file Form 1295 on paper?**

No. A business entity must file Form 1295 electronically with the Texas Ethics Commission using the [online filing application](#). See Question #4 for information about logging in to the online filing application.

### **4. How do I login to the filing application?**



If this is your first time logging in, you will need to create an account in order to register and receive a password. Once you have registered, you will receive an email containing a password setup link. Click on the link to set your password. After you have established an account, you will use your email address, password, and user type (either "Business Entity" or "Governmental Entity/State Agency") to log in to the [filing application](#). Watch our short videos on *"Logging In The First Time"* on the [Form 1295 File Reports Electronically](#) web page.

**5. Is there a mobile version?**

The mobile version is not complete at this time, but will be available soon.

**6. Help! I forgot my password.**

If you forgot your password, you can reset your password by clicking the "Forgot Password?" link on the [filing application](#) login screen. Once you enter your email address and filer type and successfully answer the security questions, you will receive an email containing a password reset link. If you cannot successfully answer your security questions, you will need to call the Texas Ethics Commission at (512)463-5800.

**7. Can I have multiple accounts?**

You can have a separate account associated with each unique email address. However, once an account is established, there is no way to combine it with another account. You can only view those certificates created under your own unique email address. If you want to view all your certificates together in one account, we highly encourage you to setup a specific email address to register your account and use that email address each time you login to the filing application.

**8. How much time do I have to acknowledge a Form 1295?**

A state agency or other governmental entity must acknowledge the receipt of the filed Form 1295 not later than the 30th day after the date the contract binds all parties to the contract. Once a Form 1295 is acknowledged, it will be posted to the Texas Ethics Commission's website within seven business days.

**9. Do I send a copy of the notarized Form 1295 to the Texas Ethics Commission?**

No. Do not send a paper copy of the notarized Form 1295 to the Texas Ethics Commission. If you are with a state agency or other governmental entity, you will login to the [filing application](#) and acknowledge receipt of Form 1295

electronically. See Question #4 for more information about logging into the [filing application](#).

**10. What if I accidentally acknowledge the wrong Form 1295?**

Before you acknowledge a Form 1295, you should double check that you are acknowledging the correct one. If you acknowledge a Form 1295 in error, you cannot undo the certification. Contact the Texas Ethics Commission at 512-463-5800 and ask to speak with Technical Support.

**11. The filing application says this Form 1295 has already been acknowledged. What do I do now?**

First, you should double check that you are entering the correct certification number. If you still receive an error, contact the Texas Ethics Commission at 512-463-5800 and ask to speak to technical support.

**12. I submitted a Form 1295 and realized there is an error. Can I still edit it?**

No. Once a Form 1295 has been submitted by the business entity, it can no longer be edited. If you found an error, you will need to start a new certificate and re-enter all the required information.

**13. What if the contract associated with the Form 1295 is never fulfilled?**

All certificates that are filed with the Texas Ethics Commission and acknowledged by a governmental entity will be posted to the Commission's website regardless of the eventual outcome of the contract associated with the certificate.

**14. Why am I not receiving email messages from the Texas Ethics Commission?**

All password reset links will be sent to the email address you provided when you registered. This should be an email address that is current and that you check often. You can verify and update your email address right after you log in. Also, be sure to "whitelist" or mark as "safe" emails that come from "do-not-reply@ethics.state.tx.us" and be sure to check your Spam or Junk folder for any missing messages.

*Last Revision: December 31, 2015*

**FORM 1295**

Form prepared by Texas House Committee on



### **House Bill 89, Prohibition of Contracts with Companies Boycotting Israel**

House Bill 89, effective September 1, 2017, amended the Texas Government Code to add Chapter 2270, Prohibition on Contracts with Companies Boycotting Israel, and amended the Texas Government Code to add Chapter 808, Prohibition on Investments in Companies that Boycott Israel. (Chapter 808 does not apply to the City).

Effective September 1, 2017, a state agency and a political subdivision (which includes a city) may not enter a contract with a company for goods or services unless the contract contains a written verification from the company that; (i) it does not Boycott Israel; and (ii) will not Boycott Israel during the term of the contract.

“Boycott Israel” is defined to mean 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.

“Company” is defined to mean a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or business associations that exists to make a profit.

Application of new law: Beginning on September 1, 2017, the City may not enter a contract with a company for goods or services unless the contract contains a written verification from the company that: (i) it does not Boycott Israel; and (ii) will not Boycott Israel during the term of the contract.

The City should add to its solicitations for bids, proposals or offers for goods or services (including professional services) that the bidder must verify in its response to the solicitation that the company (i) does not Boycott Israel; and (ii) will not Boycott Israel during the term of the contract. Set forth below is a sample of such certification:

"I, \_\_\_\_\_ (Name of certifying official), the \_\_\_\_\_ (title or position of certifying official) of \_\_\_\_\_ (name of company), does hereby verify on behalf of said company to the City that said company does not Boycott Israel and will not Boycott Israel (as that term is defined in Texas Government Code Section 808.001) during the term of this contract.

\_\_\_\_\_  
Signature of Certifying Official

Title:

Date:”

A verification must also be included in any contract for goods or services. Set forth below is a sample provision that may be included:

“Prohibition of Boycott Israel. Company (Professional or other applicable term defining the contracting party) verifies that it does not Boycott Israel, and agrees that during the term of this Agreement (Contract as applicable) will not Boycott Israel as that term is defined in Texas Government Code Section 808.001, as amended.”

**House Bill 89, Prohibition of Contracts with Companies Boycotting Israel**

I, \_\_\_\_\_ (Name of certifying official), the  
\_\_\_\_\_ (title or position of certifying official) of  
\_\_\_\_\_ (name of company), does hereby verify on behalf of said  
company to the City that said company does not Boycott Israel and will not Boycott Israel (as that term is  
defined in Texas Government Code Section 808.001) during the term of this contract.

\_\_\_\_\_  
Signature of Certifying Official

Title:

Date:

### **Senate Bill 252 Prohibition of Contracts with Certain Companies**

Senate Bill 252 amends Chapter 2252, Texas Government Code, effective September 1, 2017, by adding Subchapter F and, specifically, Tex. Govt. Code §2252.152, prohibiting cities and other governmental entities from entering into a governmental contract (defined to mean “a contract awarded by a governmental entity for general construction, an improvement, a service, or a public works project or for a purchase of supplies, materials, or equipment” and including contracts professional or consulting service subject to Texas Govt Code Ch. 2254, (the Professional Procurement Act<sup>1</sup>) with a company that is identified on a list prepared and maintained by the Texas Comptroller and that does business with Iran, Sudan, or a foreign terrorist organization.

The new law will apply to contracts for: general construction work; an improvement; any professional or other service; a public works project; purchase of supplies; purchase of materials; and for the purchase of equipment.

Exception: A company that the United States government affirmatively declares to be excluded from its federal sanctions regime relating to Sudan, its federal sanctions regime relating to Iran, or any federal sanctions regime relating to a foreign terrorist organization is not subject to contract prohibition under this subchapter.

For purpose of the new law, “Company” means a sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability company, or other entity or business association whose securities are publicly traded, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or business associations, that exists to make a profit.

A foreign terrorist organization is defined to mean an organization designated as a foreign terrorist organization by the United States secretary of state as authorized by 8 U.S.C. Section 1189.

Under the new law, the Texas Comptroller is required to prepare, maintain, and provide to each governmental entity in the state (including the City), a list of all companies known to have contracts with or provide supplies or services to a foreign terrorist organization.

Application of new requirements: The new requirements apply to a contract or purchase for which the governmental unit (including the City) first advertises or otherwise solicits bids, proposals, offers or qualifications on or after September 1, 2017. Thus, the new law does not apply to contracts for which bids, proposals, offers, or qualifications have already been solicited, even if the contract is not awarded on or after September 1, 2017.

While not required, the City may wish to consider adding to its solicitation for bids, proposals or offers a statement that the City is prohibited from entering a contract with a company that is identified on a list prepared and maintained by the Texas Comptroller and that does business with Iran, Sudan, or a foreign terrorist organization. The City will of course need to monitor the Comptroller list before award of such contracts to be sure that the bidder is not on the most recent version of the list.



### **State of Texas Conflict of Interest Questionnaire**

Pursuant to the requirements of Section 176.002(a) of the Texas Local Government Code, vendors or respondents who meet the following criteria must fill out a State of Texas Conflict of Interest Questionnaire (CIQ) form no later than the 7th day after the person begins contract discussions or negotiations with the City or submits to the City a bidders list application, response to a request for proposals or invitation for bids, correspondence or another writing relating to a potential agreement with the City:

A vendor or respondent that -

(1) contracts or seeks to contract for sale or purchase of property, goods or services with a local government entity; or

(2) is an agent of a person described in Subdivision (1) in the person's business with the local government entity. Any person who meets the criteria, as for enforcement to ensure the veracity of the vendors, the statute makes it a Class C Misdemeanor to violate the vendor disclosure provisions.