

# REQUEST FOR PROPOSALS (RFP) No.2131

## AHA Elevator Modernization and Maintenance Services



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ALBUQUERQUE HOUSING AUTHORITY

*"Empowering people in our community through affordable housing and self sufficiency opportunities."*

## RFP Document

[Table No. 1]

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## Introduction

This competitive solicitation process is being conducted by the Albuquerque Housing Authority (hereinafter specifically, “AHA”), located in Albuquerque, NM. AHA is a public entity that was formed in 1967 to provide federally subsidized housing and housing assistance to low-income families, within the City of Albuquerque. AHA is headed by an Executive Director (ED) and is governed by a five-person board of commissioners and is subject to the requirements of Title 24 of the Code of Federal Regulations (hereinafter, “CFR”) and AHA’s procurement policy.

Currently, AHA owns and/or manages: (1) 26 housing developments including multifamily and senior apartments and single family homes totaling approximately 945 units throughout the municipal limits of the City of Albuquerque; and (2) approximately 4,000 housing choice voucher units. AHA has approximately 68 employees.

In keeping with its mandate to provide efficient and effective services, AHA is now soliciting proposals from qualified, licensed and insured entities to provide the services noted in section 2.0 below, to AHA. All proposals submitted in response to this solicitation must conform to all of the requirements and specifications outlined within this document and any designated attachments in its entirety.

## RFP Information at a glance

[Table No. 2]

<b>CONTACT PERSON (NOTE: Unless otherwise specified, any reference herein to “Contracting Officer” or “(CO)” shall be a reference to Rocio Sinche.)</b>	<b>Rocio Sinche, Procurement Officer</b> Telephone (505)764-3932; E-mail: purchasing @abqha.org
<b>HOW TO OBTAIN THE RFP DOCUMENTS ON THE APPLICABLE INTERNET SITE</b>	<a href="https://ha.internationaleprocurement.com/actions/login.html">https://ha.internationaleprocurement.com/actions/login.html</a> Click on the “Login” button in the upper left side. Follow the listed directions. If you have any problems in accessing or registering on the system, call customer support at (866)526-0160.
<b>PRE-PROPOSAL CONFERENCE</b>	<b>Thursday, June 16, 2022, 10:30 am MT</b> Via Zoom Application. Pre-Proposal Instructions to call in are posted on Economic Engine.
<b>DEADLINE TO SUBMIT QUESTIONS</b>	<b>Tuesday, June 28, 2022, 3:00 pm MT</b>
<b>HOW TO FULLY RESPOND TO THIS RFP BY SUBMITTING A PROPOSAL SUBMITTAL</b>	As directed within Section 5.0 of the RFP document, Submit 1 hard copies and one electronic copy via <a href="https://ha.internationaleprocurement.com">https://ha.internationaleprocurement.com</a> . Please submit the electronic version with Tabs.
<b>PROPOSAL SUBMITAL RETURN &amp; DEADLINE</b>	<b>Friday, July 8, 2022, 3:00 pm MT</b> Administrative Offices, 1840 University Blvd. SE, Albuquerque, NM 87106 *(The electronic copy must be uploaded to economic engine and the “Hard copy” proposal must be received via mail or timestamped by post office or other mail carrier no later than this date).
<b>PROPOSAL EVALUATION &amp; CONSENSUS</b>	TBD
<b>AHA BOARD REVIEW &amp; APPROVAL</b>	July 20, 2022 if applicable

**1.0 The AHA'S Reservation of Rights. AHA reserves the right to:**

**Right to Reject, Waive, or Terminate the RFP.** Reject any or all proposals, to waive any informality in the RFP process, or to terminate the RFP process at any time, if deemed by the AHA to be in its best interests.

**Right to Not Award.** Not award a contract pursuant to this RFP.

**Right to Terminate.** Terminate a contract awarded pursuant to this RFP, at any time for its convenience upon 10 days written notice to the Contractor(s).

**Right to Determine Time and Location.** Determine the days, hours and locations that the successful proposer (hereinafter, "Contractor") shall provide the services called for in this RFP.

**Right to Retain Proposals.** Retain all proposals submitted and not permit withdrawal for a period of 60 days subsequent to the deadline for receiving proposals without the written consent of the AHA Contracting Officer (CO).

**Right to Negotiate.** Negotiate the fees proposed by the proposer entity.

**Right to Reject Any Proposal.** Reject and not consider any proposal that does not meet the requirements of this RFP, including but not necessarily limited to incomplete proposals and/or proposals offering alternate or non-requested services.

**No Obligation to Compensate.** Have no obligation to compensate any proposer for any costs incurred in responding to this RFP.

**Right to Prohibit.** At any time during the RFP or contract process, prohibit any further participation by a proposer or reject any proposal submitted that does not conform to any of the requirements detailed herein. By accessing the [nahro.economicengine.com](http://nahro.economicengine.com) Internet System (hereinafter, the "noted Internet System" or the "System") and by downloading this document, each prospective proposer is thereby agreeing to abide by all terms and conditions listed within this document and within the noted Internet System, and further agrees that he/she will inform the CO in writing within 5 days of the discovery of any item listed herein or of any item that is issued thereafter by AHA that he/she feels needs to be addressed. Failure to abide by this time frame shall relieve AHA, but not the prospective proposer, of any responsibility pertaining to such issue.

**Right to Reject - Obtaining Competitive Solicitation Documents.** The [nahro.economicengine.com](http://nahro.economicengine.com) Internet-based software is the only official and appropriate venue to obtain the competitive solicitation documents (and any other information pertaining to the competitive solicitation such as addenda). Accordingly, by submitting a response to this competitive solicitation the respondent thereby affirms that he/she obtained all information on the noted software. Any other group such as a bid depository that informs potential respondents of the availability of such competitive solicitations are hereby instructed to not distribute these documents to any such potential respondents, but to instruct the potential respondents to visit the noted Internet-based software to obtain the documents. AHA will reject without consideration any response submitted from a firm that has not obtained the documents from the noted Internet-based software.

## 2.0 Scope of Work/Technical Specifications.

**Description:** The project consists of the. Work includes scopes of work for Elevator Modernization and Elevator Maintenance.

1. Elevator Modernization Services. The contractor shall provide full comprehensive modernization as specified in “Elevator Modernization Specifications - 8010 Constitution-Embudo Towers”. The requested modernization services are for the two elevators listed below.

Embudo Towers located at 8010 Constitution

Elevator PE1 Original to building Hydraulic

Elevator PE2 Original to building Hydraulic

2. Elevator Maintenance Services. The Contractor shall provide full comprehensive maintenance and repair services for vertical transportation systems identified in “Elevator Maintenance Specifications for AHA Embudo Towers & Wainwright Manor”

Elevator Maintenance for the following elevators at the listed AHA sites below.

Wainright Manor located at 5601 Gibson Blvd SE, Albuquerque NM

Elevator PE1 (hydraulic modernized in 2018)

Elevator PE2 (hydraulic modernized in 2018)

Elevator PE3 Original to building Hydraulic

Embudo Towers located at 8010 Constitution

Elevator PE1 Original to building Hydraulic

Elevator PE2 Original to building Hydraulic

Elevator PE3 (Traction MRL installed in 2017)

Elevator PE4 (Traction MRL installed in 2017)

**General Information:** The intent of this project to achieve a very high-quality final product as per the Defined in the specification for each of the requested services.

Please refer to 7.0 Attachment F- Elevator Modernization Specifications - 8010 Constitution Ave-Embudo Towers and 8.0 Attachment G- Elevator Specifications for Modernization and Elevator Maintenance. These attachments may be downloaded from <https://ha.internationaleprocurement.com>.

Contractors will need to fill out all required HUD forms that correspond to both the modernization efforts (Construction HUD forms) and maintenance services (Non-Construction HUD Forms). AHA will award two contracts (see attached sample contracts), each with the corresponding construction or non-construction attachments and requirements.

### **Task Order Process. (Applicable to Modernization Services)**

A Task order will be issued to the contract awardee(s) based on the contractors proposed and negotiated construction schedule. All work defined in the request will be within the scope of work, issued within the period of contract performance and be within the maximum value of the contract. Firm Fixed Prices and Schedule shall be negotiated and before the issuance of Task Orders and the commencement of construction work.

Task Orders shall contain the Scope of Work, Period of Performance, Schedule, Firm Fixed Price and additional reference material that defines the task. Task orders in the amount of \$25,000 or more, including gross receipts tax, require performance and payments bonds as outlined below.

### **3.0 Bonds. (Applicable for Modernization Services)**

As this contract pertains to public works or construction, the bonds that are required include:

**Performance Bond.** The performance bond is meant to ensure that the contract is successfully completed. The performance bond guarantees that if the Contractor is unable to complete the contract, the surety company will step in to finish the work. In the case of a letter of credit or cash escrow, the Agency may use these funds to complete the contract work.

**Payment Bond.** The payment bond is a method of ensuring that the Contractor pays the subcontractors and suppliers. By requiring payment bonds, the Agency avoids becoming entangled in disputes concerning payment of subcontractors and suppliers by the general contractor. The surety underwriting the payment bond ensures the contractors and suppliers will be paid. Often, performance and payment bonds are combined into a single document. Failure to pay subcontractors for work performed in commercial contracts may often lead to the subcontractor filing a mechanic's lien against property owners to obtain payment for services rendered. The Agency contract requires the payment bond to prevent this problem and ensure that no liens will be filed against any Agency building or lot of ground. As a reminder, Clause 24 of form HUD-5370, *General Conditions of the Contract for Construction* (Attachment D attached hereto) clearly forbid the placement of liens and is binding on any contractor, subcontractor, and material supplier.

**Bonding Companies.** An acceptable surety (bonding) company is one that is authorized to do business in the State of New Mexico and is acceptable to HUD and the Agency. The surety must be listed on the most recently published U.S. Treasury Circular 570 (often referred to as the T-List). Individual sureties are not permitted. Circular 570 is available from the U.S. Department of the Treasury, Financial Management Service, Surety Bond Branch, Room #262C, 401 14th Street, S.W., Washington, D.C. 20227. The T-List may also be accessed on the Internet at: <http://www.fms.treas.gov/c570/index.html>.

### **Contractor Single Point of Contact.**

Each Contractor shall designate a coordinator as a single, local point of contact (SPOC), as well as a backup, that will be accessible during normal work hours 8:00 a.m. until 5:00 p.m. Monday through Friday, with the exception of the designated holidays, to handle and assist in any and all inquiries regarding scheduling, billing, status of task orders, availability, contract compliance requirements, reports, and problem solving. Contractor's SPOC shall be available via a toll-free telephone number

or email. The SPOC may have support staff that will serve as account managers for different designated multiple points of contact in order to best provide service.

**Proposer Responsibility pertaining to the Requirements herein.**

It is the responsibility of each proposer to inform AHA in writing during the proposal posting period (e.g. prior to the posted submittal deadline) of any requirements herein that may conflict with each other or that may be inconsistent. If the successful proposer fails to do so during the posting period and such conflict or inconsistency is discovered after the submittal deadline, AHA reserves the right to adjust the tasks required of the successful proposer, but there shall be no increase in costs to AHA based on successful proposer's failure to inform AHA.

**4.0 Proposal Format.**

**Tabbed Proposal Submittal.** AHA intends to retain the successful qualifying proposer or proposer's pursuant to a "Best Value" basis, not a "Low Bid" basis ("Best Value," in that AHA will, as detailed within the following Section 4.0, consider factors other than just cost in making the award decision). Therefore, so that AHA can properly evaluate the offers received, all proposals submitted in response to this RFP must be formatted in accordance with the sequence noted following. Each category must be separated by numbered index dividers (which number extends so that each tab can be located without opening the proposal) and labeled with the corresponding tab reference also noted below. All submissions must not exceed 30 single-sided pages (excluding cover page and attachments, ex. Resumes). Attachments and Exhibits: All attachments and exhibits must be referenced in the Proposal Body. None of the proposed services may conflict with any requirement AHA has published herein or has issued by addendum.

**[Table No. 3]**

Tab No.	Description
1	<b>Form of Proposal.</b> This Form is attached hereto as <u>Attachment A</u> to this RFP document. This 1-page Form must be fully completed, executed where provided thereon and submitted under this tab as a part of the proposal submittal.
2	Form HUD-5369-A and HUD-5369-C, Representations, Certifications and Other Statements of Bidders, Certification and Representations for Non-Construction and Non-Collusive Affidavit. These Forms are attached hereto as <u>Attachment B</u> to this RFP document. These Forms must be fully completed, executed where provided thereon and submitted under this tab as a part of the proposal submittal.
3	Form HUD-5369 and HUD-5369-B, Instructions to Bidders for Contracts and Instruction to Offerors Non-Construction. These forms are attached hereto as <u>Attachment B</u> to this RFP.
4	Acknowledgement of HUD Forms, Applicable Terms to the Contract. 1. Form HUD-5370, (11/30/2023) General Conditions of the Contract for Construction Public and Indian Housing, HUD-5370 Section I and Section II, General Conditions for Non-Construction Contract with/without maintenance. 2. Form HUD-4010 Federal Labor Standards Provisions and 3. Form HUD-92554M Supplementary Conditions of the Contract for Construction. 4. Form HUD 2554 Supplementary Conditions of the Contract for Construction. These forms are attached hereto as <u>Attachment D (5.0-5.2), K, L and N</u> to this RFP.

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<b>5</b>	<b>Profile of Firm Form.</b> The Profile of Firm Form is attached hereto as <u>Attachment C</u> to this RFP document. This form must be fully completed, executed and submitted under this tab as a part of the proposal submittal.
<b>6</b>	<b>Proposed Services.</b> <i>Scope of Proposal/Technical Specifications</i> , of this document, the proposer shall, at a minimum, clearly detail within the information submitted under this tab documentation showing:
	Evaluation Factor No. 1, herein, the proposer's <b>Price/Fee Proposal</b> . Contractor shall provide a detailed price breakdown for this RFP effort including cost of bonding, contractor fees (overhead, general requirements, profit, etc.), and exclude gross receipts tax. Schedule of Values used should correspond with typically used AIA format. Contractor shall provide the maintenance pricing for each elevator per Section 5.1 and Exhibit B "Contractor's Schedule of Unit Prices" and submit Exhibit A - "Schedule of initial base hourly rates for contractor's personnel" see pages 27-28 of Attachment 8.0 Elevator Maintenance Specifications for AHA Embudo Towers and Wainwright Manor.
	Response Evaluation Factor No. 2, herein, the proposer's <b>Experience</b> . This should include relevant Demonstrated Experience.
	Evaluation Factor No. 3, herein, the proposer's <b>Capacity</b> . The proposer entity must submit under this tab a concise description of its managerial and financial capacity to deliver the proposed services, including brief professional resumes for the persons identified within areas (5) and (6) of Attachment C, <i>Profile of Firm Form</i> . Such information shall include the proposer's qualifications to provide the services; a description of the background and current organization of the firm. Provide staff resumes.
	Evaluation Factor No.4, herein, the proposer's <b>Approach and Methodology</b> of service, etc.).
	Evaluation Factor No. 5, herein, the proposer's <b>Section 3 Procurement Preference Documentation</b> , <u>Attachment H</u> . Include applicable forms and provide description of qualitative activities proposer is performing or will perform. This is a Section 3 covered contract that requires reporting hours performed on a modernization effort and yearly maintenance services.
<b>7</b>	<b>Client Information.</b> The proposer shall submit a listing of former or current clients, including any other Public Housing Authority, for whom the proposer has performed similar or like services to those being proposed herein. The listing shall, at a minimum, include:
	The client's name;
	The client's contact name;
	The client's telephone number;
	A brief narrative description and scope of the service(s) and the dates the services were provided, including a brief narrative description of those specific services including scope; size; cost; principal elements and special features.
<b>8</b>	<b>Equal Employment Opportunity/Supplier Diversity.</b> The bidder must submit under this tab a copy of its Equal Opportunity Employment Policy and a complete description of the positive steps it will take to ensure compliance, to the greatest extent feasible, with the regulations detailed within Section 6 herein pertaining to supplier diversity (e.g. small, minority-, and women-owned businesses). Identify efforts that will be performed by minority, women and small businesses and identify associated



	percentage of work. Please provide a copy of minority classification certification(s). <b>Form HUD 92010 Equal Employment Opportunity Certifications, Attachment S.</b>
<b>9</b>	<b>Subcontractor/Joint Venture Information.</b> The proposer shall identify hereunder whether or not he/she intends to use any subcontractors for this job, if awarded, and/or if the proposal is a joint venture with another firm. Such Joint Venture firms or any major subcontractors ("major," meaning a projected 10% or more of the work).
<b>10</b>	<b>Campaign Contribution Form, HUD 2530-Previous Participation Certification and HUD 50071-Certification of Payments to Influence Federal Transactions.</b> Is attached hereto as <b>Attachments I, Q and R</b> to this RFP. This Form must be fully completed, executed where provided thereon and submitted under this tab as a part of the bid submittal.
<b>11</b>	<b>Other Information (Optional Item).</b> The proposer may include hereunder any other general information that the proposer believes is appropriate to assist the Agency in its evaluation.
	<b>No Information Placed under a Tab.</b> If no information is to be placed under any of the above noted tabs (especially the "Optional" tabs), place a statement such as "NO INFORMATION IS BEING PLACED UNDER THIS TAB" or "THIS TAB LEFT INTENTIONALLY BLANK." DO NOT eliminate any of the tabs.

#### **5.0 Submission Responsibilities.**

It shall be the responsibility of each proposer to be aware of and to abide by all dates, times, conditions, requirements and specifications set forth within all applicable documents issued by AHA, including the RFP document, and any addenda and required attachments submitted by the proposer. By virtue of completing, signing and submitting the completed documents, the proposer is stating his/her agreement to comply with the all conditions and requirements set forth within those documents. Written notice from the proposer not authorized in writing by the CO to exclude any of AHA requirements contained within the documents may cause that proposer to not be considered for award.

All proposals must be submitted electronically via economic engine at the following website. <https://ha.internationaleprocurement.com/actions/login.html>, Hard copy proposal must be mailed in and time-stamped by post office or other mail carrier no later than the due date. Electronic proposal must be uploaded no later than the submittal deadline stated herein (or within any ensuing addendum). **A total of 1 original signature copy and 1 electronic copy (uploaded to site). Please submit the electronic version with Tabs. For any issues with site please contact larry.hancock@internationaleprocurement.com. The proposal submittal, shall be placed unfolded in a sealed package and addressed to:**

**Albuquerque Housing Authority  
Attention: Rocio Solis Sinche, Procurement Officer  
1840 University Blvd. SE  
Albuquerque, NM 87106**

The package exterior must clearly denote the above noted RFP number and must have the proposer's name and return address. Proposals received after the published deadline will not be accepted.

**Submission Conditions.** DO NOT FOLD OR MAKE ANY ADDITIONAL MARKS, NOTATIONS OR REQUIREMENTS ON THE DOCUMENTS TO BE SUBMITTED! Proposers are not allowed to change any requirements or forms contained herein, either by making or entering onto these documents or the documents submitted any revisions or additions; and if any such additional marks, notations or requirements are entered on any of the documents that are submitted to AHA by the proposer, such may invalidate that proposal. If, after accepting such a proposal, AHA decides that any such entry does not change the intent of the proposal that AHA intended to receive, AHA may accept the proposal and the proposal shall be considered by AHA as if those additional marks, notations or requirements were not entered on such. By accessing the noted Internet System, registering and downloading these documents, each prospective proposer that does so is thereby agreeing to confirm all notices that AHA delivers to him/her as instructed, and by submitting a proposal, the proposer is thereby agreeing to abide by all terms and conditions published herein and by addendum pertaining to this RFP.

### 5.1 Entry of Proposed Price/Fees.

The proposed fees shall be submitted by the proposer and received by the Agency where provided within the noted Internet System and within Tab 6- Price/Fee Proposal, please make sure to include Exhibits A & B, pages 27-28 of Attachment 8.0 Elevator Maintenance Specifications for AHA Embudo Towers and Wainwright Manor. Unless otherwise stated, the proposed fees are all-inclusive of all related costs that the successful proposer will incur to provide the noted services, including, but not limited to: employee wages and benefits; clerical support; overhead; profit; licensing; insurance; materials; supplies; tools; equipment; long distance telephone calls; travel expenses; document copying not specifically agreed to by the Agency; etc.

[Table No. 3a]

RFP Section	Item No.	Qty	U/M	Description
Modernization	1	1	Project	Firm-Fixed Price Proposal for Elevator Embudo Modernization project.
	2	1	Project	Firm-Fixed Price Proposal for Elevator Wainwright Modernization project.
	<b>Pricing Proposal.</b> The Agency is requesting a Schedule of Values that should be included within Tab 6 of proposal. Provide pricing for each of the elevators.			

RFP Section	Item No.	Qty	U/M	Description
Maintenance	3	1	Monthly	Wainwright Manor- Elevator PE1 - Firm-Fixed Price for Hydraulic Elevator Maintenance
	4	1	Monthly	Wainwright Manor Elevator PE2 - Firm-Fixed Price for Hydraulic Elevator Maintenance
	5	1	Monthly	Wainwright Manor Elevator PE3 - Firm-Fixed Price for Hydraulic Elevator Maintenance
	6	1	Monthly	Embudo Towers- Elevator PE1 - Firm-Fixed Price for Hydraulic Elevator Maintenance

	7	1	Monthly	Embudo Towers- Elevator PE2 - Firm-Fixed Price for Hydraulic Elevator Maintenance
	8	1	Monthly	Embudo Towers- Elevator PE3 - Firm-Fixed Price for Traction MRL Elevator Maintenance
	9	1	Monthly	Embudo Towers- Elevator PE4 - Firm-Fixed Price for Traction MRL Elevator Maintenance

## 5.2 Additional Information Pertaining to the Pricing Items.

**IMPORTANT NOTICE!!! Entry of Costs.** Proposers must submit, where provided within the noted Internet system, a total project cost as detailed within Table No. 3a. Any proposer that chooses to not enter a cost will be automatically deemed nonresponsive and his/her proposal will NOT be considered.

**Review the Entry of Proposed Fees.** The Agency strongly recommends that each proposer, after entry of the proposed fees within the noted eProcurement System, print the receipt provided and review the entry to ensure that the proposer has entered the proposed fees correctly (the System will allow the proposer to immediately re-enter the System at any time prior to the posted deadline to correct any such entry). The proposer will NOT be able to correct this entry after the posted deadline has expired, which means that the Agency will utilize such entry, correct or incorrect, to assign the points pertaining to Evaluation Factor No. 1 detailed within the following Table No. 6.

**Price Escalation.** There is no escalation of costs allowed unless proposed for option years, yearly escalation shall not exceed 3%.

## 6.0 Proposer's Responsibilities – Contact with AHA.

It is the responsibility of the proposer to address all communication and correspondence pertaining to this RFP process to the designated CO only and through the designated online system. Proposers must not make inquiry or communicate with any other AHA staff member or official (including members of the Board of Commissioners) pertaining to this RFP. Failure to abide by this requirement may be cause for AHA to reject a proposal from any proposer that failed to abide by this directive.

**Addendums.** All questions and requests for information must be addressed in writing to the CO and submitted through the online system. The CO anticipates that it will respond to all such inquiries in writing by addendum to all prospective proposers (i.e. firms or individuals that have obtained the RFP Documents). During the RFP solicitation process, the CO will NOT conduct any *ex parte* (a substantive conversation—"substantive" meaning, when decisions pertaining to the RFP are made—between AHA and a prospective proposer when other prospective proposers are not present) conversations that may give one prospective proposer an advantage over other prospective proposers. This does not mean that prospective proposers may not call the CO—it simply means that, other than making replies to direct the prospective proposer to where his/her question has already been answered within the solicitation documents, the CO may not respond to the prospective proposer's inquiries but will direct him/her to submit such inquiry in writing so that the CO may more fairly respond to all prospective proposers in writing by addendum.

**Proposer's Responsibilities – Equal Employment Opportunity and Supplier Diversity.** Both the Contractor and AHA have, pursuant to HUD regulation, certain responsibilities pertaining to the hiring and retention of personnel and subcontractors.

Within **2 CFR 200** it states:

(e) Contracting with small and minority firms, women's business enterprise and labor surplus area firms.

(1) The grantee and subgrantee will take all necessary affirmative steps to assure that minority firms, women's business enterprises, and labor surplus area firms are used when possible.

(2) Affirmative steps shall include:

(i) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;

(ii) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;

(iii) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority business, and women's business enterprises;

(iv) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority business, and women's business enterprises;

(v) Using the services and assistance of the Small Business Administration, and the Minority Business Development AHA of the Department of Commerce; and

(vi) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed above in paragraphs (e) (2) (i) through (v) of this section.

Within **HUD Procurement Handbook 7460.8 REV 2** it states:

Consistent with Presidential Orders 11625, 12138, and 12432, AHA shall make every effort to ensure that small businesses, MBEs, WBEs, and labor surplus area businesses participate in AHA contracting.

Goals. AHA is encouraged to establish goals by which they can measure the effectiveness of their efforts in implementing programs in support of contracting with disadvantaged firms. It is important to ensure that the means used to establish these goals do not have the effect of limiting competition and should not be used as mandatory set-aside or quota, except as may otherwise be expressly authorized in regulation or statute. Some localities have adopted minority contracting set-aside

policies or geographic limitations, which may be in conflict with Federal requirements for full and open competition.

Within our **AHA Procurement Policy** it states that AHA will:

**Assistance to Small and Other Business, Required Efforts:**

Including such firms, when qualified, on solicitation mailing lists;

Encouraging their participation through direct solicitation of bids or proposals whenever they are potential sources;

Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by such firms;

Establishing delivery schedules, where the requirement permits, which encourage participation by such firms;

Using the services and assistance of the Small Business Administration, and the Minority Business Development AHA of the Department of Commerce;

Including in contracts, to the greatest extent feasible, a clause requiring contractors, to provide opportunities for training and employment for lower income residents of the project area and to award subcontracts for work in connection with the project to business concerns which provide opportunities to low-income residents, as described in 24 CFR Part 75 (Section 3 Workers, Targeted Section 3 Worker, Section 3 Businesses); and

Requiring prime contractors, when subcontracting is anticipated, to take the positive steps listed above.

**Requirements.** Accordingly, please see Table No. 3, Tab 8, **Equal Employment Opportunity/Supplier Diversity** herein which details the information pertaining to this issue that the bidder must submit in response to this bid showing compliance, to the greatest extent feasible, with these regulations.

**Section 3 Reporting:** Contactor is required to prepare and submit yearly reports on hours performed on contract and report on any Section 3 efforts taken during the contract period of performance. (Maintenance Services) and report on a task order projects basis for modernization efforts. Contractor shall utilize Section 3 Workers, Targeted Section 3 workers and Section 3 businesses as defined in Attachment H - Section 3 Explanation and Forms 2022 to perform the requirements under this proposal to the greatest extent feasible and shall document such efforts during contract period. Contractors shall submit **“Section 3 Contract - Recipient Compliance and Reporting Form”** by **June 30**. Contractor will be evaluated on their performance based on the documentation of the qualitative (hiring, training, etc.) and quantitative (hours) as defined in Attachment H - Section 3 Explanation and Forms 2022 and such evaluation shall be a factor in future awards.

**7.0 Pre-proposal Conference.**

The scheduled pre-proposal conference is, pursuant to HUD regulation, not mandatory. Many prospective proposers have previously responded to an RFP with a multi-tabbed submittal and feel comfortable in doing so without attending the pre-conference.

Typically, such conferences last one (1) hour or less, though such is not guaranteed. The purpose of this conference is to assist prospective proposers in having a full understanding of the RFP documents so that he/she feels confident in submitting an appropriate proposal; therefore, at this conference AHA will conduct an overview of the RFP documents, including the attachments. Prospective proposers may also ask questions, though the CO may require that some such questions are delivered in writing prior to a response. Whereas the purpose of this conference is to review the RFP documents, attendees should bring a copy of the RFP documents to this conference; however, AHA will not distribute at this conference any copies of the RFP documents.

## 8.0 Recap of Attachments.

It is the responsibility of each proposer to verify that he/she downloaded the following attachments pertaining to this RFP, which are hereby by reference included as a part of this RFP:

[Table 4]

	Attachment	Description
1.0		This RFP Document
2.0	A	Form of Proposal - RFP 2207
3.0	B	Form HUD-5369, Instructions to Bidders for Contracts Public and Indian Housing Programs, Form HUD-5369 A, <i>Representations, Certifications and Other Statements of Bidders</i> , HUD-5369-B, Instructions to Offerors Non-Construction HUD-5369-C Certification and Representations for Non-Construction
4.0	C	Profile of Firm Form
5.0-5.2	D	Form HUD-5370, General Conditions of the Contract for Construction Public and Indian Housing, Form HUD 5370 Section I and Section II, General Conditions for Non-Construction Contract with or without maintenance work
6.0-6.1	E	AHA Sample Contract Forms. (please note that this contract is being given as a <u>SAMPLE ONLY</u> - AHA reserves the right to revise any clause herein and/or to include within the ensuing contract any additional clauses that AHA feels it is in its best interests to do so)
7.0	F	Elevator Modernization Specifications-8010 Constitution Ave-Embudo Towers
8.0	G	Elevator Maintenance Specifications for AHA Embudo Towers and Wainright Manor
9.0	H	Section 3 Explanation and Forms 2022, proposed services under this RFP are Section 3 covered services/contracts.
10.0	I	Campaign Contribution Form
11.0	J	Service Contract Act Wage Determination 2015-5443 03-15-2022
12.0	K	Form HUD-4010 Federal Labor Standards Provisions
13.0	L	Form HUD-92554M Supplementary Conditions of the Contract for Construction
14.0	M	Wage Decision NM20220001 Residential Construction 02-25-2022
15.0	N	Form HUD-2554 Supplementary Conditions of the Contract for Construction
16.0	O	Sample Schedule of Values
17.0	P	Pre-Proposal Meeting - Zoom Instructions

**RFP No. 2131 AHA Elevator Modernization and Maintenance Services**

18.0	Q	Form HUD 2530 Previous Participation Certification
19.0	R	Form HUD 50071 Certification of Payments to Influence Federal Transactions
20.0	S	Form HUD 92010 Equal Employment Opportunity Certification
21.0	T	Form HUD 5372 Construction Progress Schedule 2021

## 9.0 Proposal Evaluation.

**Evaluation Factors.** The following factors will be utilized by AHA to evaluate each proposal submittal received; **proposers should address elevator modernization and maintenance work separately for each of the factors and** award of points for each listed factor will be based upon the documentation that the proposer submits within his/her proposal submittal:

[Table No. 5]

NO.	MAX POINT VALUE	FACTOR TYPE	FACTOR DESCRIPTION
1	25 Points	Price/Fee Proposal	<p align="center"><b>MODERNIZATION</b></p> <ul style="list-style-type: none"> <li>a. Please provide a detailed, price breakdown for this RFP effort including cost of bonding, contractor fees (overhead, general requirements, profit, etc.), and exclude gross receipts tax.</li> <li>b. Provide a written list or schedule of potential change orders discovered during the bidding process due to inconsistencies or omissions in the bid documents and their potential cost impact;</li> <li>c. Provide a list of any proposed substitutions or changes to the bid documents that are not included in Pricing sheet but could be used in a Value Engineering phase.</li> </ul> <p align="center"><b>MAINTENANCE</b></p> <ul style="list-style-type: none"> <li>a. Monthly maintenance fee for each elevator;</li> <li>Hourly billing rates for additional maintenance services;</li> <li>b. A list of stand exclusions.</li> </ul>
2	20 points	Experience	<p align="center"><b>MODERNIZATION</b></p> <ul style="list-style-type: none"> <li>a. Detailed description of 2-3 previous projects and services provided.</li> <li>b. Provide a complete list with a brief description of completed remodel projects with similar scope, and with temporary resident relocation in particular.</li> <li>c. Owner's name and contact information (include address and phone number);</li> <li>d. Overall construction cost of project, as applicable, including initial contract value and change order, including reasons for change orders;</li> <li>e. Original scheduled completion date and actual completion date and reason for variance.</li> </ul> <p align="center"><b>MAINTENANCE</b></p>

			<p>Relevant Experience and Past Performance of Contractor and its Team:</p> <ul style="list-style-type: none"> <li>a. performing various facility conveyance systems condition assessment, inspection, preventative maintenance and repair type services for similar systems;</li> <li>b. supervising multiple work crews;</li> <li>c. experience with, and knowledge of conveyance systems inspection, operation, maintenance and repair services; and</li> <li>d. access to the necessary technology, equipment and standards</li> <li>e. Offeror shall submit a list of three (3) current or previous contracts that best illustrate the firm's experience and capabilities performing identical or similar work in size and scope of this project within the last five (5) years. Descriptions of these contracts shall include at minimum the Name of Company, Title and Description of the Project, Contract Number, Dollar Amount, and Period of Performance, Name of the Contact Person, and Title, and Telephone Number and email address.</li> </ul>
<b>3</b>	<b>20 points</b>	<b>Capacity</b>	<ul style="list-style-type: none"> <li>a. Provide a separate graphic organizational structure complete with working titles for each proposed individual who will be working directly on project for project duration;</li> <li>b. Provide resumes for all key staff;</li> <li>c. Provide job descriptions and responsibilities and authority for each working title;</li> <li>d. Provide staff assignments for all positions by name. Provide a staff schedule by name, position, and man hours (assuming 8-hour days) per month estimated on the project;</li> <li>e. Provide current workloads of all named staff assigned to this project and schedules for completion of their current assignments.</li> <li>f. Provide a description of services which are anticipated to be subcontracted for;</li> <li>g. Describe subcontractor construction work, qualifications, and indicate how coordination of subcontracted services will be accomplished; If applicable, explain the structure of any joint venture or partnership, how responsibilities will be divided, how expenses and profits will be divided. Also, show each firm's staffing role. Provide a summary listing of previous work accomplished by the joint venture (included in Experience section);</li> <li>h. Identify current work/project load and explain ability to perform work with a currently contemplated September 2022 start date;</li> <li>i. Indicate firms bonding capacity for the project with current and anticipated projects.</li> </ul>



4	20 points	Approach & Methodology	<p style="text-align: center;"><b>MODERNIZATION</b></p> <ul style="list-style-type: none"> <li>a. Describe the methodology (project approach) that clearly and concisely identifies how your team will approach construction.</li> <li>b. Describe how you will confirm on-site constructability issues that may impact the GMP during the construction process;</li> <li>c. Identify how your firm will work toward meeting AHA's MBE/WBE goals and your recommended reporting process to AHA's staff for monitoring the progress of your efforts toward meeting MBE/WBE goals;</li> <li>d. A complete listing of assumptions and conditions associated with your proposal;</li> <li>e. Include specific examples (1-2-page excerpts) of actual products (estimates, progress reports, schedules, open-book pricing model, constructability reviews, value engineering studies, forms, general conditions, etc.);</li> <li>f. Provide a detailed construction schedule with start and completion dates for each project site and any required phasing, weekend work; and</li> <li>g. Provide a list of any potential concerns, issues or inconstances that could affect schedule or pricing.</li> </ul> <p style="text-align: center;"><b>MAINTENANCE</b></p> <ul style="list-style-type: none"> <li>a. Quality Control Plan (QCP), as must identify an acceptable approach and those actions employed to ensure compliance with quality and control standards in the SOW. Describe in detail how the Contractor will assure the task are complete timely and to the service level standards identified in the SOW.</li> <li>b. Risk Management include an acceptable plan that clearly identify and address specific risks that may impact this program and its successful implementation and long-term management. The plan must demonstrate the ability to identify specific quantitative and qualitative risks and effective mitigation strategies that demonstrate the clear ability to ensure uninterrupted performance at the required level service. The plan must also provide detail regarding subcontractor and vendor management that encompasses the entire population of properties.</li> <li>c. Transition of Services an acceptable transition plan must identify all actions required for successful implementation of this contract in accordance with the SOW including phase-in and contract close-out, phase-out services. The transition plan must provide dates after receipt of award, significant actions, identify actions that may require Agency support, and completion of all actions with a specific date for the beginning of acceptance of workorders from the Agency. An acceptable implantation plan will include how the</li> </ul>
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			<p>operations management plan will be established, implemented and regulated throughout the contract life to close-out.</p> <p>d. Customer Service an acceptable plan will identify the means by which customer service is to include but not limited to timely response to standard and reimbursable service request and or complaints regarding service. The customer service plan shall also address how the Offeror will ensure the availability of crews, timely completion, and the Contractor's overall methodology and approach to provide first-class customer service.</p>
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**Preference Evaluation Factor.** The following factors will be utilized by the CO to evaluate each proposal submittal received:

**[Table No. 5a]**

<b>5</b>	<b>15 points</b>	<b>Section 3 Procurement Preference</b>	<p>a. Employ or Hire Section 3 Workers and Section 3 Targeted Workers, provide self or employer certification of employee/applicant. (15 points)</p> <p>b. Contracting to Section 3 Business Concern (15 points). If applicable, provide certification form.</p> <p>c. Provide Hiring and Training opportunities to Section 3 Workers (10 points). Provide supportive documentation.</p> <p>d. Provide list of other opportunities to Section 3 workers, qualitative activities that your company is currently providing or will provide as listed in Section 3 Procurement Preference Explanation and Forms. (5 points)</p> <p>Note: Maximum available preference points (15 points)</p>
	<b>100 Points</b>	<b>Total Maximum Possible Points</b>	

## 10.0 Evaluation Method.

The eventual award will occur based on the following detailed brief procedures.

**Initial Evaluation for Responsiveness.** Each proposal received will first be evaluated for responsiveness (i.e. meets the minimum of the requirements).

**Evaluation Packet.** An evaluation packet will be prepared for each evaluator, typically including the following documents:

- Instructions to Evaluators;
- Proposals;
- Written Narrative Form for each proposer;
- Recap of each proposer's responsiveness; and
- Copy of all pertinent RFP documents.

**Evaluation Committee.** AHA anticipates that it will select a minimum of a four-person committee to evaluate each of the responsive proposals submitted in response to this RFP. PLEASE NOTE: No proposer shall be informed at any time during or after the RFP process as to the identity of any evaluation committee member. If, by chance, a proposer does become aware of the identity of such person(s), he/she SHALL NOT make any attempt to contact or discuss with such person anything related to this RFP. The designated CO is the only person at AHA that the proposers shall contact pertaining to this RFP. Failure to abide by this requirement may (and most likely will) cause such proposer(s) to be eliminated from consideration for award. Upon final completion of the proposal evaluation process, the evaluation committee will forward the completed evaluations to the CO.

**Potential “Best and Finals” Negotiations.** AHA reserves the right to, as detailed within Section 7.2.N through Section 7.2.R of HUD Procurement Handbook 7460.8 REV 2, conduct a “Best and Finals” Negotiation, which may include oral interviews, with all firms deemed to be in the competitive range. Any firm deemed not to be in the competitive range shall be notified of such in writing by AHA in as timely a manner as possible.

**Determination of Top-ranked Proposer.** The subjective points awarded by the evaluation committee shall be combined to determine the final rankings, which shall be forwarded by the CO to the ED for approval. If the evaluation was performed to the satisfaction of the ED, the final rankings may be awarded. Contract negotiations may, at AHA's option, be conducted prior to award.

**Notice of Results of Evaluation.** If an award is completed, all proposers will receive by e-mail a Notice of Results of Evaluation. Such notice shall inform all proposers of:

- Which proposer received the award;
- Where each proposer placed in the process as a result of the evaluation of the proposals received;
- Each proposer's right to a debriefing and to protest.

**Restrictions.** All persons having familial (including in-laws) and/or employment relationships (past or current) with principals and/or employees of a proposer entity will be excluded from participation on the AHA evaluation committee. Similarly, all persons having ownership interest in and/or contract with a proposer entity will be excluded from participation on the AHA evaluation committee.

## **11.0 Contract Award.**

**Contract Award Procedure.** If a contract is awarded pursuant to this RFP, the following detailed procedure will be followed:

**An Agreement to Abide.** By completing, executing and submitting the Form of Proposal, Attachment A, the “proposer is thereby agreeing to abide by all terms and conditions pertaining to this RFP as issued by the AHA, either in hard copy or on the noted eProcurement System,” including the contract clauses already attached to the RFP. Accordingly, AHA has no responsibility to conduct after the submittal deadline any negotiations pertaining to the contract clauses already published.

**Contract Conditions.** The following provisions are considered mandatory conditions of any contract award made by the AHA pursuant to this RFP:

**Contract Form.** AHA will not execute a contract on the successful proposer's form—contracts will only be executed on the AHA form (please see Sample Contracts, Attachment E, Construction Contract and Service Contract), and by submitting a proposal the successful proposer agrees to do so (please note that AHA reserves the right to amend this form as AHA deems necessary). However, AHA will during the RFP process (prior to the submittal deadline) consider any contract clauses that the proposer wishes to include therein and submits in writing a request for AHA to do so; but the failure of AHA to include such clauses does not give the successful proposer the right to refuse to execute AHA's contract form. It is the responsibility of each prospective proposer to notify AHA, in writing, prior to submitting a proposal, of any contract clause that he/she is not willing to include in the final executed contract and abide by. AHA will consider and respond to such written correspondence, and if the prospective proposer is not willing to abide by the AHA's response (decision), then that prospective proposer shall be deemed ineligible to submit a proposal.

#### 12.0 HUD Forms.

Please note that AHA has no legal right or ability to (and will not) at any time negotiate any clauses contained within ANY of the HUD forms included as a part of this RFP.

**Contract Type: Indefinite Delivery Indefinite Quantity.** Contracts provide for filling the PHA's purchase requirements for the services specified in the contract during a fixed period of time. AHA retains the right to order from the Contractor, on a Task/Request basis, any amount of that the HA requires. The pricing arrangements will be Firm Fixed Rate.

**Firm Fixed Rate.** Requires the delivery of services at a specified price, fixed at the time of the conclusion of negotiations and contract award and not subject to any adjustment on the basis of the contractor's cost experience in performing the contract.

Any orders issued during the effective period of this contract and not completed within the period shall be completed by the contractor within the time specified in the order. The contract shall govern to the Contractor's and the AHA's rights and obligation with respect to that order to the same extent as if the order were completed during the contract's effective period.

**Contract Period of Performance:** One base year from date of award, with the option of four, one-year option years, the period of performance may be extended at the AHA's discretion. Contract shall not exceed 5 years.

#### 13.0 Assignment of Personnel.

AHA shall retain the right to demand and receive a change in personnel assigned to the work if AHA believes that such change is in the best interest of AHA and the completion of the contracted work.

**Unauthorized Sub-Contracting Prohibited.** The successful proposer shall not assign any right, nor delegate any duty for the work proposed pursuant to this RFP (including, but not limited to, selling or transferring the contract) without the prior written consent of the CO. Any purported assignment of interest or delegation of duty, without the prior written consent of the CO shall be void and may result in the cancellation of the contract with AHA, or may result in the full or partial forfeiture of

funds paid to the successful proposer as a result of the proposed contract; either as determined by the CO.

#### 14.0 Licensing and Insurance Requirements.

Prior to award (but not as a part of the proposal submission) the *successful proposer* will be required to provide the following licensing and insurance as well as comply with lender and investor licensing and insurance requirements:

**Workers Compensation Insurance.** An original certificate evidencing the proposer's current industrial (worker's compensation) insurance carrier and coverage amount (NOTE: Workers Compensation Insurance will be required of any Contractor that has employees other than just the owner working on-site to provide the services);

**General Liability Insurance.** An original certificate evidencing General Liability coverage, naming AHA as an additional insured, together with the appropriate endorsement to said policy reflecting the addition of AHA as an additional insured under said policy (minimum of \$1,000,000 each occurrence, general aggregate minimum limit of \$1,000,000, together with damage to premises and fire damage of \$50,000 and medical expenses any one person of \$5,000), with a maximum deductible amount of \$5,000;

**Professional Liability Insurance.** An original certificate showing the proposer's professional liability and/or "errors and omissions" coverage (minimum of \$1,000,000 each occurrence, general aggregate minimum limit of \$1,000,000), with a deductible amount of \$5,000;

**Automobile Insurance.** An original certificate showing the proposer's automobile insurance coverage in a combined single limit of \$1,000,000. For every vehicle utilized during the term of this program, when not owned by the entity, each vehicle must have evidence of automobile insurance coverage with limits of no less than \$100,000/\$300,000 and medical pay of \$5,000.

**City/County/State Business License.** If applicable, a copy of the proposer's business license allowing that entity to provide such services within the City of Albuquerque, the County of Bernalillo, and/or the State of New Mexico.

**Certificates/Profile of Firm Form.** Pertaining to the aforementioned insurance certificates and licenses, each proposer is required to enter related information where provided for on the Profile of Firm Form (do not attach or submit copies of the insurance certificates or licenses within the proposal submittal—we will garner the necessary documents from the successful proposer prior to contract execution).

#### 15.0 Right to Negotiate Final Fees.

AHA shall retain the right to negotiate the amount of fees that are paid to the successful proposer, meaning the fees proposed by the top-rated proposer during negotiations may, at AHA's option, be the basis for the beginning of negotiations. Such negotiations shall begin after AHA has chosen a top-rated proposer. If such negotiations are not, in the opinion of the CO, successfully concluded within (five) 5 business days, AHA shall retain the right to end such negotiations and begin negotiations with the next-rated proposer.

**16.0 Contract Service Standards.**

All work performed pursuant to this RFP must conform and comply with all applicable local, state and federal codes, statutes, laws and regulations.

**Prompt Return of Contract Documents.** Any and all documents required to complete the contract, including contract signature by the successful proposers, shall be provided to AHA within (ten) 10 work days of notification by AHA.