

April 16, 2024

IDEA PUBLIC SCHOOLS ±Donna Building Envelope

GMS ARCHITECTS  
BROWNSVILLE, TEXAS 78526  
(956) 546-0110

ADDENDUM NO. 1

A. ~~IA) - PUR (1) T) 0 g 0 G [ ( ) ] TJ ET Q EMC /Span <</MCID 10/Lang (en-US)>> BDC q 0229.37 W\* n BT~~

This addendum shall become part of the contract and all CONTRACTORS shall be bound by its content. All aspects of the specifications and drawings not covered herein shall remain the same.

The General Conditions and the Special Conditions of the specifications shall govern all parts of the work and apply in full force to this addendum.

B. SCOPE

I. CLARIFICATION:

- x Proposals must be submitted by sending a hard copy to:

IDEA Public Schools  
Attn. Purchasing Department  
2115 West Pike Blvd  
Weslaco, TX 78596

Proposals sent by mail must be in a sealed envelope marked with the RFP Number and Title and include:

- a) One (1) clearly identified hard copy ORIGINAL of the Proposal.
- b) One (1) copy of the Proposal on FLASH DRIVES, marked with the 5 H V S R Q G H Q W ¶ V Q D P H

Note: Faxed or emailed Proposals will not be accepted.

- x The proposal will be read aloud via Microsoft Teams at the link below:

[Join the meeting now](#)

Meeting ID: 222 119 618 202

Passcode: y8ZDrX

- x Estimated Budget: \$ 2,500,000.00.
- x Anticipated Start Date: May 27,2024

II. SPECIFICATIONS:

- x Replace Section 001000 ±Request for Competitive Sealed Proposals (1 Page) to Construction Documents.

- x Replace Section 002000 ±Instructions to Proposers (7 Pages) to Construction Documents.

III. PLANS:

N/A

DOCUMENT 001000

REQUEST FOR COMPETITIVE SEALED PROPOSALS

IDEA Public Schools Board, in accordance of Texas Education Code Chapter 44, Subchapter B and Chapter 2269 of the Texas Government Code, has delegated to its Construction Committee of the Board the authority of the selection of procurement method, determining the evaluation/ranking criteria, ranking of respondents,

DOCUMENT 002000

INSTRUCTIONS TO PROPOSERS

The IDEA Public Schools Board, in accordance of Texas Education Code Chapter 44, Subchapter B and Chapter 2269 of the Texas Government Code, has delegated to its Construction Committee of the Board, the authority of the selection of procurement method, determining the evaluation/ranking criteria, to rank respondents, and to select the respondent that will provide best value to the District. The Board desires to delegate to the CEO/Superintendent (or her designee) the authority to negotiate a contract with the selected respondent. The Board has also authorized its Project Manager or Architect to open bid submissions to be publicly read aloud at the time of opening. The following Instructions to Bidders outlines the decisions by the Chief Executive Officer.

AVAILABILITY OF PROPOSAL DOCUMENTS

- A. Proposal Documents will be available on the date and time indicated in Document 001000 - Request for Competitive Sealed Proposals.
- B. The Proposal Documents, made available by the Owner and Architect, are for the exclusive purpose of obtaining proposals for the Work indicated; availability does not confer a license or grant for any other use. The Proposal Documents remain the property of the Owner and must be returned if not used for construction purposes.
- C. Complete sets of the Proposal Documents shall be used for the preparation of proposals; partial sets will not be issued. Neither the Owner nor the Architect assumes any responsibility for errors or misinterpretations resulting from the use of incomplete sets of Proposal Documents.
- D. Successful Proposers may retain their Proposal Documents for construction use.

1.2 WORK COVERED BY CONTRACT DOCUMENTS

Project Description: **The Project consists of roofing, plaster repair, sealant replacement, concrete flatwork.**

Project Location: Idea Donna Building Envelope is located at 401 S 1st St, Donna, TX 78537.

Owner: IDEA Public Schools, 2115 W. Pike, Weslaco, Texas 78596.

Architect: The Contract Documents were prepared for this Project by Gomez Mendez Saenz, Inc. (GMS Architects), 1150 Paredes Line Rd., Brownsville, Texas 78521 and their consultants identified on the Project Directory page of this Project Manual.

1.3 EXAMINATION OF PROPOSAL DOCUMENTS, SITE AND LOCAL CONDITIONS

- A. Proposers shall carefully examine the Proposal Documents and shall visit the site to examine the existing conditions under which the Work is to be performed. Extra payments will not be authorized for Work that could have been foreseen by careful examination of the Site.
- B. Proposers shall carefully examine the Proposal Documents to verify that they agree with the Table of Contents in the Project Manual, the Index of Sheets on the Drawings, and the Cover Page of Addenda. Proposers shall be responsible for obtaining any pages or sheets that may have been inadvertently left out during the printing process.

1.4 BIDDERS ACCESS TO PREMISES

- A. A site tour will be conduct

## INSTRUCTIONS TO PROPOSERS

enactment of Senate Bill 9 (~~SB 9~~) by the 80<sup>th</sup> Legislature. Senate Bill 9 can be accessed through the Texas Legislative website at [www.capitol.state.tx.us](http://www.capitol.state.tx.us) and typing SB 9

1.12 PARTICIPATION OF UNDER-UTILIZED BUSINESSES

- A. As a policy, IDEA Public Schools promotes the inclusion of under-utilized businesses as part of the construction team to provide opportunities for less-advantaged enterprises where possible and appropriate. Proposers are encouraged to submit proposed M/WBE subcontractors who will be actively engaged in the project. In addition, if the firm has a formal program involving mentoring of under-utilized subcontractors and suppliers to provide management and technical assistance, information related to the mentoring program should be provided. If the Proposer is not engaged in a formal mentoring program, then letters from under-utilized firms describing the mentoring efforts provided are encouraged and will be accepted.

1.13 SUBMISSION PROCEDURES FOR PROPOSALS

- A. A Proposal will be considered invalid if it has not been received, regardless of how sent, at the designated location prior to the designated time fixed for the Proposal Opening, or prior to any

## INSTRUCTIONS TO PROPOSERS

- e. Document 004500 . Conflict of Interest Questionnaire
  - f. Document 006100 - Bid Bond
  - g. Information required in Section 1.15 below.
  - h. Proposed subcontractor list (within 24 hours after bid time and date).
  - i. AIA 305 Qualifications Statement
- G. The Owner reserves the right to reject any Proposal if the evidence submitted by, or investigations of, such Proposer fails to satisfy the Owner that such Proposer is properly qualified to carry out the obligations of the contract and to complete the Work therein.
- H. Failure to submit a Proposal in the form requested, or the inclusion of stipulations, conditions, qualifications, limitations, or provisions distorting the intent of the Proposal Documents, will render the Proposal irregular and subject to rejection.
- I. A Proposal may be withdrawn only upon written request by the Proposer provided it is received by the Owner at the place fixed for the Proposal Opening at least 48 hours prior to the time fixed for the Proposal Opening. The withdrawal of a Proposal does not prejudice the right of the Proposer to submit a new Proposal at the time and place fixed for the Proposal Opening. Proposals may not be withdrawn for a period of five (5) calendar days after the time fixed for the Proposal Opening.
- J. Proposals shall be valid for sixty (60) calendar days from the date and time of opening. By signing this proposal, the Proposer certifies and represents to the Owner that the Proposer has not offered, conferred, or agreed to confer any pecuniary benefit or other thing of value for the receipt of special treatment, advantage, information, recipient's decision, opinion, recommendation, vote or any other exercise of discretion concerning this proposal. The Proposer further certifies that the Proposer is not prohibited from doing business with any Federal or State Department or Agency and that to the best of their knowledge no company employee, either full or part time, owner, official, stockholder, subcontractor, or member of their immediate family, are related to a member of the Board of Trustees in violation of the Nepotism Prohibition of the State of Texas Government Code (Chapter 573 Gov. Code). Venue for any litigation arising from this contract shall lie in the County where the project is located.
- K. The drawings and specifications set forth for this proposal are not intended to be restrictive. The intent of this proposal is to obtain the best construction project at the most economical price available. The specifications are established to ensure that the Owner remains within the bounds of the rules and regulations that govern its operation and to protect the taxpayer's investment in this entity.
- 1.14 BID BOND
- A. A Proposal will only be considered if accompanied by an executed Bid Bond per Document 006100, in the amount of not less than 5 percent of the greatest amount proposed (considering alternates, if any).
- B. Proposer shall execute the Bid Bond form referenced in Document 006100 - Bond Forms and include in the Competitive Sealed Proposal.
- C. The Bid Bond shall ensure the execution of the contract and the furnishing of an acceptable performance bond and payment bond by the Successful Proposer within five (5) calendar days after Notification of Award. The Proposal of the Successful Proposer may not be withdrawn within 5 calendar days after the time fixed for the Proposal Opening without the written consent of the Owner.
- D. Should the successful Proposer refuse to enter into such contract or fail to furnish the required bonds, the amount of the Bid Bond shall be forfeited to the Owner as liquidated damages, not as a penalty.



## INSTRUCTIONS TO PROPOSERS

- E. The attorney-in-fact who executes the bond on behalf of the surety shall affix to the bond a certified and current copy of the power of attorney.
- F. The Owner reserves the right to retain the Bid Bond of Proposers to which an award is being considered until either the contract has been executed and bonds have been furnished, or the specified time has elapsed so that Proposals may be withdrawn, or all Proposals have been rejected.

### 1.15 DETERMINATION OF SUCCESSFUL PROPOSER

- A. SUBCONTRACTOR INFORMATION
- B. Upon request from the Owner, within five (5) calendar days the Successful Proposer shall furnish a statement of costs for each major portion of the Work included in the Proposal. Each section of the specifications shall be considered a major portion of the Work and shall be shown as a separate cost item.

### 1.16 AWARD OF CONTRACT

INSTRUCTIONS TO PROPOSERS

Owner/Obligor: IDEA Public Schools, 2115 W. Pike, Weslaco, Texas 78596

Surety: [INSERT NAME ADDRESS OF SURETY ON PAYMENT BOND]

Statement: IDEA is the primary obligor and provides the following statement: "funds are available  
at a certain time and place for the performance of the work under this contract."

1.18 WORK UNDER OTHER CONTRACTS

A. Simultaneous Separate Contracts: Owner will award separate contracts for performance of certain construction operations at Project site. Those operations may be conducted simultaneously with work under this Contract. The separate contracts **excluded** from this contract will include the following:

B. contractors so work on those contracts may be carried out smoothly, without int.54(ertai)5(n)-502(c)-5(on)4(s)-

