

# **WHITE SETTLEMENT INDEPENDENT SCHOOL DISTRICT**

## **REQUEST FOR QUALIFICATIONS – STEP 1 CONSTRUCTION MANAGER AT-RISK**

**Multiple Construction Projects resulting from May 2022 Bond Referendum**



**May 19, 2022**

### **NOTICE OF REQUEST FOR QUALIFICATIONS CONSTRUCTION MANAGER AT-RISK, TWO-STEP PROCESS**

Pursuant to the provisions of the Texas Government Code Chapter 2269, Subchapter F, it is the intention of the White Settlement Independent School District ("District" or "Owner") to select a Construction Manager At-Risk (CMAR), via a two-step Request for Qualifications (RFQ) process, for the construction of multiple projects resulting from the May 2022 Bond Referendum.

The RFQ/RFP package is available for download from <https://www.wsisd.com/apps/pages/purchasing/bid-information> . Questions regarding the RFQ should be directed in writing via email to the person listed below. All questions must be received on or before 2:00 pm (local time) on Friday, June 3, 2022. No verbal responses will be provided.

**Janette Owens, CPA, RTSBA**  
**Director of Bonds and Financial Transparency**  
**White Settlement Independent School District**  
[janowens@wsisd.net](mailto:janowens@wsisd.net)

Sealed responses marked "CMAR Request for Qualifications – Step 1, 2022 Multiple Construction Projects May 2022 Bond, White Settlement Independent School District, May 19, 2022" will be received until **2:00 PM (Local Time), Wednesday, June 8, 2022**. Sealed responses will be received at:

**Janette Owens, CPA, RTSBA**  
**Director of Bonds and Financial Transparency**  
**White Settlement Independent School District**  
**401 S Cherry Ln**  
**White Settlement, TX 76108**

Submittals received after that time will not be considered for evaluation. White Settlement ISD reserves the right to waive any informality or to reject any, or all, CMAR Request for Qualifications submittals.

Responses shall include the information requested in the sequence and format prescribed. In addition to and separate from the requested information, submitting organizations may provide supplementary materials further describing their capabilities and experience.

The District shall receive, publicly open, and read aloud the name of the firms submitting a response to this RFQ. The District shall select no more than five firms for Step 2 Proposals solely on the basis of Step 1 qualifications. The selection criteria shall include the firm's experience, past performance, safety record, proposed personnel and methodology, and other appropriate factors that demonstrate the capability of the Construction Manager At-Risk. The District's Board of Trustees has delegated the authority of selecting and ranking firms in Step 1 to a committee composed of members of the WSISD administration and facilities representatives.

Interviews may be conducted with the short-listed firms prior to submission of Step 2 Proposals. The interview shall be considered a part of the Step 2 evaluation process. In accordance with the schedule, interviews may be conducted Monday, June 13, 2022. The firms to be interviewed should include the project manager and job superintendent identified in the response to this RFQ. Upon conclusion of the interviews and submission of the Step 2 Proposals, the firms will be evaluated and ranked in accordance with the criteria contained in the Request for Qualifications and determined to provide the best value for the District. Queries about the project and the Request for Qualifications should be addressed via e-mail to:

**Janette Owens, CPA, RTSBA**  
**Director of Bonds and Financial Transparency**  
**White Settlement Independent School District**  
[janowens@wsisd.net](mailto:janowens@wsisd.net)

## CONSTRUCTION MANAGER AT-RISK SELECTION SCHEDULE

- First Advertisement Thursday, May 19, 2022
- Request for Qualifications Released Thursday, May 19, 2022
- Second Advertisement Thursday, May 26, 2022
- Memorial Day (District Holiday) Monday, May 30, 2022
- Pre-submittal Conference  
Administration Building  
401 S Cherry Ln  
White Settlement, TX 76108 **9:00 AM** - Tuesday, May 31, 2022
- Deadline for Questions **2:00 PM** - Friday, June 3, 2022
- Addendum (if needed) Monday, June 6, 2022
- Receive Statements of Qualifications (Step 1)  
Administration Building  
401 S Cherry Ln  
White Settlement, TX 76108 **2:00 PM** - Wednesday, June 8, 2022
- Establish short list of firms and notify for Step 2 Thursday, June 9, 2022
- Conduct Interviews (if elected) **9:00 AM – 12:00 PM** - Monday, June 13, 2022
- Receive Proposals (Step 2)  
Administration Building  
401 S Cherry Ln  
White Settlement, TX 76108 **2:00 PM** - Monday, June 13, 2022
- Evaluate Proposals and Rank Selections Tuesday, June 14, 2022
- CMAR Ranking Recommendation in Board Packet Wednesday, June 15, 2022
- Recommendation to Board of Trustees Monday, June 20, 2022

## **PROJECT DESCRIPTION**

### **Project**

Multiple Construction Projects resulting from the May 2022 Bond Referendum

### **Architect**

VLK Architects, Inc.

### **Project Scope**

The anticipated scope of work for this proposal is based on the known planned projects at Brewer Middle School, West Elementary School, and Brewer High School. The District may contract with one or multiple Construction Manager(s).

- Brewer Middle School Additions and Renovations
  - Address: 1000 S Cherry Ln, White Settlement, TX 76108
  - Two-Story 6th Grade Center Addition with 32 classrooms
  - New Competition Gym
  - Fine Arts Expansion - Addition of 7,000 sq. ft. Band Hall and choir room renovation to accommodate growing number of students in Fine Arts programs
  - Cafeteria Addition & Renovation (also serves as an auditorium with seating capacity of 2,000)
  - Safety & Security Upgrades
  - School will remain as an operational campus for education and other school district business throughout the construction process.
  
- West Elementary School – Future Early Childhood Academy
  - Address: 8901 White Settlement Rd, White Settlement, TX 76108
  - 2 Classroom Wing Additions with 30-plus additional classrooms
  - Cafeteria Addition & Renovation
  - New Playground & Shade Structure
  - New Parking Lot & Drop Off Areas
  - Safety & Security Upgrades
  - School will remain as an operational campus for education and other school district business throughout the construction process.
  
- Brewer High School Additions and Renovations
  - Address: 1025 W Loop 820 N, Fort Worth, TX 76108
  - 8,000 sq. ft. Band Hall
  - New Competition Floor in Drill Team Gym
  - Competition Gym Renovation
    - Increases seating capacity from 1,200 to 2,000
  - School will remain as an operational campus for education and other school district business throughout the construction process.

### **Anticipated Schedule and Construction Budget**

#### Brewer Middle School Additions and Renovations

Design/Construction Document Phase: January 2023 – August 2023 (8 months)  
Proposal Phase: September-October 2023 (2 months)  
Construction: November 2023 – February 2025 (16 months)

Anticipated Construction Budget           \$43,000,000

#### West Elementary School – Future Early Childhood Academy

Design/Construction Document Phase: August 2022 – January 2023 (6 months)  
Proposal Phase: February-March 2023 (2 months)  
Construction: April 2023 – May 2024 (14 months)

Anticipated Construction Budget           \$15,000,000

#### Brewer High School Additions and Renovations

Design/Construction Document Phase: July 2022 – November 2022 (5 months)  
Proposal Phase: December 2022-January 2023 (2 months)  
Construction: February 2023 – February 2024 (12 months)

Anticipated Construction Budget           \$12,000,000

### **Pre-Construction Services: The Construction Manager shall provide the following:**

- Attend regular design meetings with the District and Architect to review the project status and to develop an understanding of the project scope.
- Consult with the District and Architect regarding building systems selection, material selection, and identification of long-lead items impacting the project schedule.
- Provide recommendations on construction feasibility.
- Provide alternative design solutions, including cost and schedule impacts, for determination of best value for the District.
- Prepare and periodically update a preliminary project schedule for the Architect's review and the District's approval. The Construction Manager shall coordinate and integrate the preliminary project schedule with the services and activities of the District, Architect, and Construction Manager.
- Develop multiple proposal packages as necessary in order to achieve occupancy, efficiency of general conditions cost, and the greatest economy for the District. The Construction Manager shall assist the District and Architect in determining phasing, packaging, and the associated definition of scope.
- Prepare a comprehensive probable cost estimate at the completion of 50% Construction Documents to ensure alignment with the project budget. If any estimate submitted to the District exceeds the agreed upon budget, the Construction Manager shall make recommendations to the District and Architect to reduce the cost of the project.
- Recommend to the District and Architect a schedule for procurement of long-lead items that will constitute the work as required to meet the project schedule.

**Contracts:**

The District will use AIA document A133-2019, modified by the District, as the base construction contract document with the Construction Manager. The form of the General Conditions document will be the AIA document A201 – 2017, modified by the District. These contracts have been prepared by the District's legal counsel, and copies are attached to this RFQ. Fee structures will be negotiated and contained as a part of the final agreement. As a part of your response to this RFQ indicate that, if selected, you will execute these contracts, noting any exceptions or deviations. All requests for modifications will be through mutual agreement of the District and Construction Manager. In the event an agreement cannot be reached, the District will terminate negotiations, and begin negotiations with the next ranked firm that provides the best value to the District.

**Audit:**

The Owner will retain the right to audit any or all accounting records of this project upon demand for up to 3 years after final completion of the work or final acceptance of the work by the Owner, whichever is later. The audits may include any or all payments made to subcontractors, companies or individuals, for all work associated with this project, to the extent required for a complete accounting of all costs. The accounting method must clearly show the breakdown of the following as a minimum:

- Unit and material cost
- Invoices
- Specific wage rates (unburdened actual costs) for all trades
- Documentation of actual burden and benefit costs for all personnel chargeable to the project.
- Premium time mark-ups for all trades, if any
- Contractor's fee
- Materials mark-up
- Subcontractors mark-ups
- Insurance and bond costs
- Equipment and tool rental costs
- Any other documentation required

Audits may occur at regular or irregular intervals. The Construction Manager must be able to provide documentation required upon request within 24 hours during the duration of the project. Audits will use the proposal and bidding information as the basis for verification of costs at each audit. The Construction Manager is to provide certification and reconciliation of all project costs to Owner at the completion of the project.

**Prevailing Wage Rates:**

White Settlement Independent School District utilizes the Davis-Bacon prevailing wage determinations for Tarrant County, Texas as issued by the U.S. Department of Labor (but excluding fringe benefits except for federally funded projects). The current Davis-Bacon wage rate determination are attached to this RFQ.

## SUBMISSION REQUIREMENTS AND OUTLINE

Submit five hard copies and one digital copy in .pdf format of your response. Please provide the following information in the sequence and format prescribed by this questionnaire. Supplemental materials providing additional information may be attached, but the information requested below is to be provided in this format.

### Tab 1: Experience

- 1.1 Company Information: Company name, address of principal's office, telephone number, and Form of Business Organization (Corporation, Partnership, Individual, Joint Venture, other), Name of Primary Contact, Primary Contact telephone number and primary contact e-mail:
- 1.2 Years in Business: Number of years operating within the Dallas-Fort Worth Area
- 1.3 Construction of K-12 schools as CMAR: Provide the following information for each project listed for a minimum of 5 completed projects in the last 8 years:
  - Project name, location, description, original budget, owner, architect photographs and project size
  - Original Substantial Completion Date and actual Substantial Completion date
- 1.4 Experienced in the North Texas construction market: Provide the following information for each project listed in the last 5 years:
  - Project name, location, description, original budget and final project size
  - Original Substantial Completion date and actual Substantial Completion date

### Tab 2: Technical Competence

- 2.1 Schedule: Provide a project specific schedule that will be used to control various project phases, describe your approach to assure timely completion, including methods used for schedule recovery and describe strategies for meeting or improving schedules for design and/or construction.
- 2.2 Pre-Design Estimates: Describe your organization's methods for estimating cost during the document phases. Provide the following information for one of the projects listed in 1.3:
  - Attach a sample conceptual cost estimate prepared during the design phase of a project and a sample of the final cost estimate/breakdown used to fix the contract amount for the same project.
- 2.3 Technology: Provide examples of information management systems you will use during pre-construction services.
- 2.4 Cost control: Provide the following information:
  - Describe your organization's concept for the disposition of savings realized during construction.
  - Describe your organization's concept for the disposition of contingency funds during construction.
  - Does your organization make all cost information during design and construction available to owner and architect?

### Tab 3: Capability to perform

- 3.1 Financials:
  - A. Attach a financial statement, preferably audited, including your organization's latest balance sheet and income statement showing the following items:
    - Current Assets (e.g., cash, joint venture accounts, accounts receivable,

- notes receivable, accrued income, deposits, materials inventory, and pre-paid expenses).
- Net Fixed Assets
- Other Assets
- Current Liabilities (e.g., accounts payable, notes payable, accrued expenses, provision for income taxes, advances, accrued salaries, and accrued payroll taxes).
- Other Liabilities (e.g., capital stock, authorized and outstanding shares par value, earned surplus, and retained earnings).
- B. Name and address of firm preparing attached financial statement and date thereof.
- C. Is the attached financial statement for the identical organization named under Item 1.1 above? If not, explain the relationship and financial responsibility of the organization whose financial statement is provided (e.g., parent-subsidiary).
- D. Will the organization, whose financial statement is attached, act as guarantor of the contract for construction?
- E. Provide name, address, and phone number for bank reference.
- F. Surety: Name of bonding company and name and address of agent.
- 3.2 Litigation: Provide details of any past or pending litigation, or claims filed against your firm in the past five years that may affect your performance under a contract with the Owner. (If the answer to any of the questions below is yes, please attach details). If this is not applicable, please respond accordingly.
  - Has your organization ever failed to complete any work awarded to it?
  - Are there any judgments, claims, arbitration proceedings, or lawsuits pending, or outstanding, against your organization or its officers?
  - Has your organization filed any lawsuits or requested arbitration or mediation with regards to construction contracts within the last five years?
- 3.2 References: For five (5) of the projects listed above in item 1.3, identify a representative of the owner and a representative of the architect (provide name, phone, and email) whom we could contact as references regarding your organization's services.

#### **Tab 4: Past Performance**

- 4.1 Project Team Time with company for each individual: Given the scope and schedule of the project, identify who would work on the project and the time with the company for each individual. Provide assurances the identified team will remain with this project throughout the course of construction.
  - Specific Project Manager
  - Project Engineer
  - Estimator
  - Superintendent
- 4.2 Project Team time in construction: Provide a resume for each individual identified in 4.1
- 4.3 Number of K-12 schools projects completed by each individual: Provide references for each individual identified in 4.1
- 4.4 Project Team past relationship with the District: Provide a list of past District projects each individual team member identified in 4.1 was involved in.



**Tab 5: Forms**

5.1 Insert the following required forms in this section of the response:

- ☐ Completed – Deviation/Compliance
- ☐ Completed – Certification and Affirmation
- ☐ Completed – Felony Conviction Notice
- ☐ Completed – Conflict of Interest Questionnaire
- ☐ Completed – Resident/Nonresident Bidder Form
- ☐ Completed – Debarment or Suspension Certification
- ☐ Completed - W-9
- ☐ Completed - Contractor Certification for Contractor Employees
- ☐ Any CMAR entering into a contract for construction with White Settlement  
ISD will be required to file Form 1295 electronically with the Texas Ethics  
Commission using the online filing application. A sample Form 1295 is  
attached for reference.

## DEVIATION/COMPLIANCE SIGNATURE FORM

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Company Name

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Address

City

State

Zip

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Phone Number

E-mail Address

If the undersigned bidder intends to deviate from the A133-2019 modified by Owner, the A201-2017 modified by Owner, or any item listed in this Request for Qualifications, all such deviations must be listed on this page, with complete and detailed conditions and information included or attached. The District will consider any deviations in its award decisions, and the District reserves the right to accept or reject any responses based upon any deviations indicated below or in any attachments or inclusions.

In the absence of any deviation entry on this form, the company assures the District of their full compliance with the A133-2019 modified by Owner, the A201-2017 modified by Owner,, and all other information contained in this Request for Qualifications.

☐ No Deviation

☐ Yes, Deviation

If yes is checked, please list below:

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## **CERTIFICATION AND AFFIRMATION**

**NOTE TO COMPANY: Failure to complete and submit this certification and affirmation page will be grounds for disqualification of the associated response.**

The undersigned affirms that he or she is duly authorized to execute this certification and affirmation, that this company, corporation, firm, partnership or individual has not prepared this response in collusion with any other person, firm or entity making or considering making a response to WSISD for any future District projects and that contents of this response have not been communicated by the undersigned nor by any employee or agent to any other person engaged in this type of business prior to the official opening of this response.

The foregoing is true and correct. WSISD, or any authorized representative of WSISD, is authorized by the undersigned to contact any firm, institution or person listed above to obtain information that WSISD might determine as being desirable.

The undersigned, by his/her signature, represents that he/she is authorized to bind the company to fully comply with the terms and conditions of this Request for Qualifications, including all forms and attachments included and/or referenced herein, if accepted within ninety (90) calendar days after solicitation closing.

Company Name: \_\_\_\_\_

Company Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Company Phone No.: \_\_\_\_\_

Company Fax No.: \_\_\_\_\_

Authorized Representative: \_\_\_\_\_

Representative Title: \_\_\_\_\_

Representative Phone No.: \_\_\_\_\_

Representative Email Address: \_\_\_\_\_

Representative Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## WHITE SETTLEMENT INDEPENDENT SCHOOL DISTRICT

### FELONY CONVICTION NOTIFICATION

The Texas Education Code, Section 44.034(a) states that a person or business entity that enters into a contract with a school district must give advance notice to the district if the person or an owner or operator of the business entity has been convicted of a felony. The notice must include a general description of the conduct resulting in the conviction of the felony.

Furthermore, Section 44.034(b) states that a school district may terminate a contract with a person or business entity if the district determines that the person or business entity failed to give notice as required by Subsection (a) or misrepresented the conduct resulting in the conviction. The district must compensate the person or business entity for services performed before the termination of the contract.

Lastly, Section 44.034 (c) states that this section does not apply to a publicly held corporation.

( ) My firm is a publicly held corporation, therefore this requirement is not applicable.

( ) My firm is not owned nor operated by anyone who has been convicted of a felony.

( ) My firm is owned or operated by the following individual(s) who has/have been convicted of a felony:

Name: \_\_\_\_\_

Description of conduct resulting in a felony: \_\_\_\_\_

Name: \_\_\_\_\_

Description of conduct resulting in a felony: \_\_\_\_\_

Name: \_\_\_\_\_

Description of conduct resulting in a felony: \_\_\_\_\_

I, the undersigned agent for the firm named below, certify that the information concerning notification of felony conviction has been received by me and that the information furnished above is true to the best of my knowledge.

Vendor's Name: \_\_\_\_\_

Authorized Company Official's Name: \_\_\_\_\_

Authorized Company Official's Title: \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

# CONFLICT OF INTEREST QUESTIONNAIRE

## FORM CIQ

For vendor doing business with local governmental entity

**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 is being disclosed.**

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

**4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.**

A. Is the local government officer or a family member of the officer 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 or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ Yes ☐ No

**5 Describe each employment or business relationship that the vendor named in Section 1 maintains with 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.**

**6** ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

**7**

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

\_\_\_\_\_  
Date

## **CONFLICT OF INTEREST QUESTIONNAIRE**

### **For vendor doing business with local governmental entity**

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

**Local Government Code § 176.001(1-a):** "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

**Local Government Code § 176.003(a)(2)(A) and (B):**

- (a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

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- (2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

(i) a contract between the local governmental entity and vendor has been executed;  
or

(ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

**Local Government Code § 176.006(a) and (a-1)**

- (a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or

(3) has a family relationship with a local government officer of that local governmental entity.

- (a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

- (1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

- (2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.

## Resident/Nonresident Bidder Form

The State of Texas has passed a law concerning non-resident contractors. This law can be found in Texas Government Code under Chapter 2252, Subchapter A. This law makes it necessary for White Settlement ISD to determine residency. Section: 2252-001 (3) 'Non-resident bidder' refers to a person who is not a resident. (4) 'Resident bidder' refers to a person whose principal place of business in this state, including a contractor whose ultimate parent company or majority owner has its principal place of business in this state. Section: 2252.002 A governmental entity may not award a governmental contract to a nonresident bidder unless the nonresident underbids the lowest bid submitted by a responsible resident bidder by an amount that is not less than the amount by which a resident bidder would be required to underbid the nonresident bidder to obtain a comparable contract in the state in which the nonresident's place of business is located.

I certify that \_\_\_\_\_  
(Name of Company)

Is, under Section 2252.001 (3) and (4), a resident Bidder \_\_\_\_\_ Non-resident Bidder \_\_\_\_\_

My or Our principal place of business under Section: 2252.001 (3) and 94), is in the city of

\_\_\_\_\_ in the state of \_\_\_\_\_

\_\_\_\_\_  
Signature of Authorized Company Representative

*NOTE: THIS FORM MUST BE EXECUTED AND SUBMITTED WITH RESPONSE.*

### **DEBARMENT OR SUSPENSION CERTIFICATE**

Non-Federal entities are prohibited from contracting with or making sub-awards under covered transactions to parties that are suspended or debarred or whose principals are suspended or debarred. Covered transactions include procurement for goods or services equal to, or in excess of, \$100,000.00. Contractors receiving individual awards for \$100,000.00 or more and all sub-recipients must certify that the organization and its principals are not suspended or debarred.

By submitting this offer and signing this certificate, the proposer:

- Certifies the owner/operator has not been convicted of a felony except as indicated on a separate attachment to this offer, in accordance with Sec. 44.034 Texas Education Code, and
- Certifies that no suspension or disbarment is in place, which would preclude receiving a federally funded contract under the Federal OMB, A-102, Common Rule (Sec. 36)

Vendor Name \_\_\_\_\_

Authorized Company Official's Name \_\_\_\_\_

Authorized Company Official's Signature \_\_\_\_\_

Email Address \_\_\_\_\_

Date \_\_\_\_\_



# Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

► Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> of the following seven boxes.  <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► _____ <b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is <b>not</b> disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) ► _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):  Exempt payee code (if any) _____  Exemption from FATCA reporting code (if any) _____  <i>(Applies to accounts maintained outside the U.S.)</i>
	5 Address (number, street, and apt. or suite no.) See instructions.	Requester's name and address (optional)
	6 City, state, and ZIP code	
	7 List account number(s) here (optional)	

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number									
				-				-	
or									
Employer identification number									
				-					

## Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ►	Date ►
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## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

## Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.*

### **Contractor Certification: Contractor Employees**

**Background:** If Contractor is awarded the contract it will be required to provide all information needed by Owner for Owner obtain all required national Criminal History Record Information (“CHRI”), pursuant to Texas Education Code section 22.0834 and Texas Government Code 411.082(a), on all employees, subcontractors of every tier (“Subcontractor”), Subcontractor’s employees, independent contractors, applicants, agents, or consultants, if (1) the person will have continuing duties related to the Project and (2) the duties are or will be performed on Owner’s property and the person(s) will or may have direct contact with students (“Covered Employee”). Contractor shall assume all expenses for obtaining CHRI. Any Covered Employee shall be disqualified and prohibited from performing any contract duties or services if that Covered Employee has been convicted of one of the following offenses, if at the time of the offence the victim was under eighteen (18) or enrolled in a public school: (a) a felony offense under Title 5, Texas Penal Code; (b) an offense for which a defendant is required to register as a sex offender under Chapter 62, Texas Code of Criminal Procedure; or (c) an equivalent offense to (a) or (b) under federal law or the laws of another state (“Disqualifying Criminal History”). The Contractor shall certify to the Owner in writing that it has complied with this section and that none of its Covered Employees have a Disqualifying Criminal History on a form provided by the Owner. Contractor agrees that if it receives information that a Covered Employee is arrested or convicted for any of the Disqualifying Criminal History offenses during the performance of this contract, Contractor will immediately remove the Covered Employee from Owner’s property or other location where students are regularly present, and notify the Owner of said removal within three (3) days of doing so. Contractor understands that any failure to comply with the requirements of this section may be grounds for termination of the contract. Instructions for complying with CHRI requirements are available from the Owner.

On behalf of \_\_\_\_\_ (“Contractor”), I, the undersigned authorized signatory for Contractor, certify to White Settlement Independent School District (“White Settlement ISD”) that [check one]:

[ ] None of Contractor’s employees are *covered employees*, as defined above. If this box is checked, I further certify that Contractor has taken precautions or imposed conditions to ensure that its employees will not become *covered employees*. Contractor will maintain these precautions or conditions throughout the time the contracted services are provided.

*Or*

[ ] Some or all of Contractor’s employees are *covered employees*. If this box is checked, I further certify that:

- (1) Contractor has obtained all required criminal history record information regarding its covered employees. None of the covered employees has a disqualifying criminal history.
- (2) If Contractor receives information that a covered employee subsequently has a reported criminal history, Contractor will immediately remove the covered employee from contract duties and notify White Settlement ISD in writing within 3 business days.
- (3) Contractor will provide White Settlement ISD with the name and any other requested information of covered employees so that White Settlement ISD may obtain criminal history record information on the covered employees.

If White Settlement ISD objects to the assignment of a covered employee on the basis of the covered employee’s criminal history record information, Contractor agrees to discontinue using that covered employee to provide services at White Settlement ISD.

I also certify to White Settlement ISD on behalf of Contractor that Contractor has obtained certifications from its subcontractors of compliance with Texas Education Code, Chapter 22.  
Noncompliance or misrepresentation regarding this certification may be grounds for contract termination.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

## Instructions - Form 1295

Effective January 1, 2016, a governmental entity may not enter into a contract requiring board approval, unless the business entity submits a Disclosure of Interested Parties (Form 1295) at the time the business entity submits the signed contract.

The following definitions apply:

1. "Interested Party" means a person:
  - a. Who has a controlling interest in a business entity with whom a governmental entity contracts; or
  - b. Who actively participates in facilitating the contract or negotiating the terms of the contract, including a broker, intermediary, adviser, or attorney for the business entity.
2. "Intermediary" means "a person who actively participates in the facilitation of the contract or negotiating the contract, including a broker, adviser, attorney, or representative of or agent for the business entity who:
  - a. Receives compensation from the business entity for the person's participation;
  - b. Communicates directly with the governmental entity or state agency on behalf of the business entity regarding the contract; and
  - c. Is not an employee of the business entity.
3. "Business Entity" means any entity recognized by law through which business is conducted, including a sole proprietorship, partnership, or corporation. "Business entity" includes a for-profit or nonprofit entity. The term does not include a governmental entity or state agency.
4. "Contract" includes an amended, extended, or renewed contract.
5. "Controlling Interest" means:
  - a. An ownership interest or participating interest in a business entity by virtue of units, percentage, shares, stock, or otherwise that exceeds 10 percent;
  - b. Membership on the board of Coordinators or other governing body of a business entity of which the board or other governing body is composed of not more than 10 members; or
  - c. Service as an officer of a business entity that has four or fewer officers, or service as one of the four officers most highly compensated by a business entity that has more than four officers."

**A business entity must file Form 1295 electronically with the Texas Ethics Commission using the Commission's online filing application, which can be found at:**

[https://www.ethics.state.tx.us/whatsnew/elf\\_info\\_form1295.htm](https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm)

The business entity must **print a copy** of the completed form, which will include a certification of filing containing a unique certification number. The Form 1295 must be **signed by an authorized agent** of the business entity, and **the form must be notarized**. The **business entity must then submit the completed, signed, notarized Form 1295 to the contracting school district**.

# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

## OFFICE USE ONLY

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.

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

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

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.

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)

ADD ADDITIONAL PAGES AS NECESSARY

## CRITERIA FOR SELECTION

Pursuant to Section 2269.055 of the Texas Government Code, the following criteria shall be considered in evaluating and ranking the proposals. The District shall select the offeror that submits the proposal that provides the best value to the District, based upon the published selection criteria. The District shall first attempt to negotiate a contract with the highest ranked offeror. If the District is unable to negotiate a satisfactory contract with the selected offeror, the District shall formally, and in writing, end negotiations with that offeror and proceed to negotiate with the next offeror in the order of the selected ranking until a contract is reached or negotiations with all ranked offerors end.

The selection process is not just fee based but weighted heavily on other important issues critical to the success of the project.

<b>STEP 1</b>	
<b>10 points</b>	<b>Experience:</b> <ul style="list-style-type: none"><li>1.1 Company Information</li><li>1.2 Years in Business</li><li>1.3 Construction of K-12 schools projects as CMAR</li><li>1.4 Experienced in the North Texas construction market</li></ul>
<b>25 points</b>	<b>Technical Competence:</b> <ul style="list-style-type: none"><li>2.1 Schedule</li><li>2.2 Pre-design estimates</li><li>2.3 Technology</li><li>2.4 Cost control</li></ul>
<b>10 points</b>	<b>Capability to perform:</b> <ul style="list-style-type: none"><li>3.1 Financials</li><li>3.2 Litigation</li><li>3.3 References</li></ul>
<b>15 points</b>	<b>Past Performance:</b> <ul style="list-style-type: none"><li>4.1 Project Team – time with company for each individual.</li><li>4.2 Project Team – time in construction</li><li>4.3 Project Team Number of K-12 schools projects completed by each</li><li>4.4 Project Team past relationship with the District</li></ul>
	<b>Total possible points for Step 1 = 60 points</b>
<b>STEP 2</b>	
<b>30 points</b>	<b>Price:</b> Lowest overall pricing will receive 30 points. The other proposals receive fewer points in descending order.
<b>10</b>	<b>Interview:</b> Short listed firms will review their overall approach to this project.
	<b>Total possible points for Step 2 = 40 points</b>

**Total overall Points Available = 100 points**

Acceptance of Evaluation methodology. By submitting response to this RFQ, Respondent accepts the evaluation process and acknowledges and accepts that determination of the firm(s) providing the best value to the Owner will require subjective judgments by the Owner.

By submitting, each offeror agrees to waive any claim it has or may have against the District, the Architect, VLK Architects, Inc. and their respective trustees, agents and employees, and any reference sources, arising out of or in connection with the administration, evaluation, or recommendation of any submission, including, but not limited to: waiver of any requirements under the submission documents; acceptance or rejection of any submission; and award of a contract.

**Standard Form of Agreement Between Owner and Construction Manager as Constructor where the basis of payment is the Cost of the Work Plus a Fee with a Guaranteed Maximum Price, AIA Document A133-2019, as modified by the Owner**

**Contact Janette Owens for a Copy of the A133-2019**

**[janowens@wsisd.net](mailto:janowens@wsisd.net)**

**General Conditions of the Contract for Construction, AIA Document A201-2017, as modified by the Owner**

**Contact Janette Owens for a Copy of the A201-2017**

**[janowens@wsisd.net](mailto:janowens@wsisd.net)**

## Prevailing Wage Rates – Tarrant County

5/18/22, 10:31 AM

SAM.gov

"General Decision Number: TX20220270 02/25/2022

Superseded General Decision Number: TX20210270

State: Texas

Construction Type: Building

County: Tarrant County in Texas.

BUILDING CONSTRUCTION PROJECTS (does not include single family homes or apartments up to and including 4 stories).

Note: Contracts subject to the Davis-Bacon Act are generally required to pay at least the applicable minimum wage rate required under Executive Order 14026 or Executive Order 13658. Please note that these Executive Orders apply to covered contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but do not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(2)-(60).

If the contract is entered into on or after January 30, 2022, or the contract is renewed or extended (e.g., an option is exercised) on or after January 30, 2022:	. Executive Order 14026 generally applies to the contract. . The contractor must pay all covered workers at least \$15.00 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in 2022.
If the contract was awarded on or between January 1, 2015 and January 29, 2022, and the contract is not renewed or extended on or after January 30, 2022:	. Executive Order 13658 generally applies to the contract. . The contractor must pay all covered workers at least \$11.25 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on that contract in 2022.

The applicable Executive Order minimum wage rate will be adjusted annually. If this contract is covered by one of the Executive Orders and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must still submit a conformance request.

Additional information on contractor requirements and worker protections under the Executive Orders is available at <https://www.dol.gov/agencies/whd/government-contracts>.

Modification Number	Publication Date
0	01/07/2022
1	01/21/2022



2 02/18/2022  
3 02/25/2022

ASBE0021-011 08/01/2017

	Rates	Fringes
ASBESTOS WORKER/HEAT & FROST INSULATOR (Duct, Pipe and Mechanical System Insulation)....	\$ 25.87	7.23

BOIL0074-003 01/01/2021

	Rates	Fringes
BOILERMAKER.....	\$ 29.47	24.10

CARP1421-002 10/01/2021

	Rates	Fringes
MILLWRIGHT.....	\$ 29.58	11.27

ELEV0021-006 01/01/2022

	Rates	Fringes
ELEVATOR MECHANIC.....	\$ 45.54	36.885+a+b

FOOTNOTES:

A. 6% under 5 years based on regular hourly rate for all hours worked. 8% over 5 years based on regular hourly rate for all hours worked.

B. New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving Day, Christmas Day, and Veterans Day.

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ENGI0178-005 06/01/2020

	Rates	Fringes
POWER EQUIPMENT OPERATOR (1) Tower Crane.....	\$ 32.85	13.10
(2) Cranes with Pile Driving or Caisson Attachment and Hydraulic Crane 60 tons and above.....	\$ 28.75	10.60
(3) Hydraulic cranes 59 Tons and under.....	\$ 32.35	13.10

IRON0263-005 06/01/2020

	Rates	Fringes
IRONWORKER (ORNAMENTAL AND STRUCTURAL).....	\$ 25.14	7.43

PAIN0053-004 04/01/2014

	Rates	Fringes
PAINTER (Brush, Roller, and Spray (Excludes Drywall		

Finishing/Taping)).....\$ 16.40 5.45  
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 PLUM0146-003 05/01/2021

	Rates	Fringes
PIPEFITTER (Excludes HVAC Pipe Installation).....	\$ 34.13	9.70
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* SUTX2014-048 07/21/2014		

	Rates	Fringes
BRICKLAYER.....	\$ 20.66	0.00
CARPENTER, Excludes Drywall Hanging, Form Work, and Metal Stud Installation.....	\$ 15.47	1.82
CEMENT MASON/CONCRETE FINISHER...	\$ 13.44 **	0.00
DRYWALL FINISHER/TAPER.....	\$ 16.24	3.94
DRYWALL HANGER AND METAL STUD INSTALLER.....	\$ 16.20	3.40
ELECTRICIAN (Alarm Installation Only).....	\$ 18.00	0.38
ELECTRICIAN (Low Voltage Wiring Only).....	\$ 14.88 **	2.15
ELECTRICIAN (Sound and Communication Systems Only).....	\$ 17.79	2.41
ELECTRICIAN, Excludes Low Voltage Wiring and Installation of Alarms/Sound and Communication Systems.....	\$ 20.59	3.98
FORM WORKER.....	\$ 12.35 **	0.00
GLAZIER.....	\$ 16.61	2.96
HVAC MECHANIC (HVAC Unit Installation Only).....	\$ 22.39	7.10
INSTALLER - SIDING (METAL/ALUMINUM/VINYL).....	\$ 15.77	0.00
IRONWORKER, REINFORCING.....	\$ 12.19 **	0.00
LABORER: Common or General.....	\$ 11.30 **	0.00
LABORER: Mason Tender - Brick...	\$ 10.50 **	0.00
LABORER: Mason Tender - Cement/Concrete.....	\$ 10.81 **	0.00
LABORER: Pipelayer.....	\$ 13.00 **	0.35
LABORER: Roof Tearoff.....	\$ 11.28 **	0.00
LABORER: Landscape and Irrigation.....	\$ 10.00 **	0.00

OPERATOR:		
Backhoe/Excavator/Trackhoe.....\$ 13.09 **		0.00
OPERATOR: Bobcat/Skid		
Steer/Skid Loader.....\$ 13.93 **		0.00
OPERATOR: Bulldozer.....\$ 18.29		1.31
OPERATOR: Drill.....\$ 17.60		0.50
OPERATOR: Forklift.....\$ 14.20 **		0.00
OPERATOR: Grader/Blade.....\$ 12.95 **		0.00
OPERATOR: Loader.....\$ 12.89 **		1.19
OPERATOR: Mechanic.....\$ 17.52		3.33
OPERATOR: Paver (Asphalt, Aggregate, and Concrete).....\$ 18.44		0.00
OPERATOR: Roller.....\$ 15.04		0.00
PIPEFITTER (HVAC Pipe Installation Only).....\$ 21.28		4.45
PLASTERER.....\$ 15.30		0.00
PLUMBER, Excludes HVAC Pipe Installation.....\$ 22.10		4.17
ROOFER.....\$ 15.70		0.58
SHEET METAL WORKER (HVAC Duct Installation Only).....\$ 21.54		5.59
SHEET METAL WORKER, Excludes HVAC Duct Installation.....\$ 18.63		0.65
SPRINKLER FITTER (Fire Sprinklers).....\$ 19.27		3.68
TILE FINISHER.....\$ 11.22 **		0.00
TILE SETTER.....\$ 12.00 **		0.00
TRUCK DRIVER: Dump Truck.....\$ 12.39 **		1.18
TRUCK DRIVER: Flatbed Truck.....\$ 19.65		8.57
TRUCK DRIVER: Semi-Trailer Truck.....\$ 12.50 **		0.00
TRUCK DRIVER: Water Truck.....\$ 12.00 **		4.11

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WELDERS - Receive rate prescribed for craft performing  
operation to which welding is incidental.

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\*\* Workers in this classification may be entitled to a higher  
minimum wage under Executive Order 14026 (\$15.00) or 13658  
(\$11.25). Please see the Note at the top of the wage



determination for more information.

Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at <https://www.dol.gov/agencies/whd/government-contracts>.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

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The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the cited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical order of "identifiers" that indicate whether the particular rate is a union rate (current union negotiated rate for local), a survey rate (weighted average rate) or a union average rate (weighted union average rate).

#### Union Rate Identifiers

A four letter classification abbreviation identifier enclosed in dotted lines beginning with characters other than "SU" or "UAVG" denotes that the union classification and rate were prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of the union which prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. 07/01/2014 is the effective date of the most current negotiated rate, which in this example is July 1, 2014.

Union prevailing wage rates are updated to reflect all rate changes in the collective bargaining agreement (CBA) governing this classification and rate.

#### Survey Rate Identifiers

Classifications listed under the "SU" identifier indicate that no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that

classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

#### Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

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#### WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- \* an existing published wage determination
- \* a survey underlying a wage determination
- \* a Wage and Hour Division letter setting forth a position on a wage determination matter
- \* a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour National Office because National Office has responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations  
Wage and Hour Division  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request

review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISION