



# Request for Proposals for Construction Manager-at-Risk (CMAR) for New Wharton County Sheriff's Office and Jail Building

## 1. OVERVIEW

### 1.1 Intent

This is a one-step Request for Proposal ("RFP") for a Construction Manager-at-Risk by Wharton County, pursuant to Subchapter F of Chapter 2269 of the Texas Government Code, to select the proposal that offers the best value for the County based on the published selection criteria and on its ranking evaluation.

### 1.2 Project Background and Scope

Wharton County is proposing to construct a two-story/ two-tier, free standing Sheriff's Office (SO) and Jail building with approximately 92,200 square feet of area as well as a 5,000 square foot pre-engineered utility building to be bid as an alternate. The buildings will be located on the property currently occupied by the existing Sheriff's office and Jail at 315 E. Elm Street, Wharton, Texas 77488 but will front on Bay City Highway. Upon completion of the new SO and jail, the existing SO and jail is to be demolished and the debris removed from the site. Functions included in the new SO portion of the building will be the offices for the Sheriff and his staff, Dispatch, CID, Patrol, a training room, fitness room and other support functions. The jail will house up to 240 inmates in ten, primarily two-tier cellblocks, an elevated staff position, vehicle sallyport, prebooking area, booking area, kitchen, laundry, visitation, jail administration, infirmary and other support functions. Subject to available funding, an add alternate addition for Vehicle Search Bay, outdoor maintenance equipment, and vehicle wash bay will be located to the south side of the new SO and Jail.

Parking will be provided for the public (48 spaces) in front of the building accessed from Bay City Highway and staff parking (63 spaces) will be provided at the rear of the building accessible from Elm or Resident Streets. An impound lot of 44 spaces will be provided south of the utility building. The staff parking area will be enclosed by a 10' high chain link fence with operable gates at certain locations. A separate parking area near the memorial at the southwest corner of the site will be provided and open to the public. The Vehicle Sallyport is drive through from Bay City Highway to Elm Street or to the staff parking area.

The proposed scope of work for the Project is illustrated in the preliminary drawings to be released at the mandatory pre-bid meeting on April 1, 2026.

### 1.3 Construction Budget and Schedule

Time is of essence for the project due to the source of funding by the County. The intent shall be to have the design complete by November 2026 with construction starting immediately thereafter. A Guaranteed Maximum Price (GMP) will be established when the Construction Documents are 50% complete. Fast tracking of long lead items should be considered. Fast tracking of site work and underground utilities should be considered as well as foundations.

**1.3 a.** The estimated Cost of the Work for the new Jail and Sheriff's Office is \$56,215,770 and the estimated Cost of Work for the 5000 square foot pre-engineered utility building is \$1,522,800.

**1.4 Form of Agreement with Contractor**

The form of agreement between Wharton County and the Contractor will be AIA Document A133-2019. The County of Wharton reserves the right to negotiate terms and conditions to these agreements with the Contractor.

**2. INVITATION FOR PROPOSAL**

**2.1 Invitation**

CMAR companies are invited to submit proposals to provide construction services for the County and the Project.

**2.2 Schedule for Selection Process**

|                                      |   |
|--------------------------------------|---|
| March 18, 2026 and<br>March 25, 2026 | Advertisements of RFP   |
| April 1, 2026 11:00am                | Mandatory pre-bid meeting will begin at Wharton County Sheriff's Office Emergency Operations Center located at 405 E. Elm Street Wharton, TX 77488. |
| April 7, 2026                        | Deadline for submission of RFP clarifications   |
| April 9, 2026                        | Issuance of Responses to RFP clarifications   |
| April 15, 2026                       | Proposals due 3:30 PM CST - Public Opening  |
| April 16, 2026                       | Evaluation and ranking of Proposals based on selection criteria   |
| April 27, 2026                       | Selection of successful CM by Commissioners Court   |

**2.3 Responses**

Please provide 3 hard copies of proposal responses on Due Date (defined below) to:

Barbara A. Starling, County Auditor  
309 E. Milam St., Ste. 300  
Wharton, TX 77488  
(979) 532-2640

**2.4 Public Opening**

Proposals will be opened on April 15, 2026 at 3:30 p.m. (the "Due Date") in the Wharton County Auditor's Office, 309 E. Milam St., Ste. 300, Wharton, TX 77488.

**2.5 Questions and Clarifications to RFP**

Questions and requests for clarifications regarding this RFP are to be submitted via email to [Cgoodman@bsw-architects.com](mailto:Cgoodman@bsw-architects.com) and [Jtettleton@bsw-architects.com](mailto:Jtettleton@bsw-architects.com) by the date indicated in section 2.2 by the end of the business day.

**2.6 Proposal Response Format**

Three (3) copies of the proposal shall be submitted on 8½" x 11" paper. All firms must respond to questions/requests for information in the same order and format as listed in this RFP.

**2.7 Proposal Validity**

Each company's proposal shall remain firm for a period of 60 days from the proposal due date for the proposal to be considered by the County. No changes to proposals will be accepted after the Due Date.

**2.8 Requests for Additional Information**

Following a review and evaluation of the submitted proposals, the County at its discretion may request firms to submit additional supporting information. Firms should be prepared to answer detailed questions regarding their qualifications.

**2.9 Negotiations**

The County will attempt negotiation with the selected first ranked CMAR firm. If an agreement cannot be successfully negotiated, the County will formally and in writing end negotiations with the first ranked selected CMAR firm and shall proceed to negotiate with the second ranked selected CMAR firm until an agreement is reached or there are no finalists remaining.

**2.10 Statutory Requirements**

The selected construction company shall comply with all federal, state and local regulations and ordinances. Texas State law shall be the governing law.

**2.11 Proposal Costs**

The County shall not be liable for any costs incurred by any proposer in the preparation of their proposal, or any other costs incurred during the selection process.

**SALES TAX** - Wharton County is exempt from sales tax by law. Wharton County will furnish, upon request, sales tax exemption forms to the bidder that is awarded bid. Bidder shall bear the responsibility of any sales or use tax if any product or supply is deemed to be taxable by State.

**2.12 Site Visit**

Construction companies must attend the mandatory site visit per section 2.2 above.

**2.13 Request for Interviews**

The County reserves the right to interview all or a limited number of the companies submitting a proposal. If interviews are held, they will be video or telephone interviews, unless agreed to otherwise. Companies that are interviewed must include the key teammembers that will be assigned to the Project

## 2.14 Award Basis and Scoring Methodology

The County shall use the following selection criteria to evaluate the responses from all submittals (Technical Evaluation and available points):

- Relevant Experience (20 points): Based on similarity of the five projects to this jail project.
- Project Team (25 points): Based on qualifications of proposed key personnel.
- Firm Financial/Insurance/Legal Information (15 points): Based on financials, bonding capacity, insurance, and claims history.
- Fee Proposal (30 points): The lowest lump sum shall be Fifteen (15) points and the lowest percentage mark-up shall be Fifteen (15) points; all others will be pro-rated.
- Contract time (10 points): Shortest proposed calendar days will be 10 points and all others will be pro-rated.

The County shall have the right to accept or reject in whole or in part any or all proposals for any reason and to cancel this RFP or not make any award from it. The County reserves the right to award a contract from this RFP on any basis the County deems is in its best interest, or to reject any or all proposals.

Wharton County Commissioner's Court will not consider for action any contract with a business entity unless the business entity submits a Certificate of Interested Parties (Form 1295). A business entity will generate Form 1295 online AFTER notification of awarding of the proposal. The Texas Ethics Commission promulgated rules to implement the law and established an online portal at:

<https://www.ethics.state.tx.us/filinginfo/1295/> The successful bidder must complete this form and submit the signed and notarized form before the contract is executed. Contract number is **042726**

All bidders must complete the "Conflict of Interest Questionnaire". Chapter 176 of the Texas Local Government code requires that any vendor or person conducting business or wishing to conduct business with a county complete the questionnaire. The completed conflict of interest questionnaire must be filed with the Wharton County Clerk not later than the seventh business day after the response to a request for proposal or bid is submitted.

<https://www.ethics.state.tx.us/data/forms/conflict/CIQ.pdf>

Any questions can be directed to the Texas Ethics Commission in Austin.

## 2.15 Press and Media Releases

News media and press releases related to this Project and RFP shall require the express prior written consent of the County.

## 3. RFP SUBMITTAL INFORMATION:

The Proposal Response shall include the following tabbed and titled sections in the order and format defined below. Please be as concise and brief as possible.

### 3.1 Cover Letter

Cover letter, submitted on the respondent's official business letterhead, from an authorized representative.

### 3.2 Firm Information

Address, contact name and position, telephone number, email address, type of business organization: i.e., corporation, partnership, joint venture, etc. Location of office that will oversee this Project. Name and title of officers/principals. Years your organization has been in business in its current capacity.

### 3.3 Relevant Experience

Experience with similar size, type, and complexity of Project. Provide the following information for five (5) relevant projects that your firm has completed since 2016. Include the following information:

- Project name and address.
- Project owner and contact information for the County as a reference.
- Type of project (new), project size (services provided, square footage).
- Final construction cost, original contract amount.
- Project schedule, total number of calendar days to complete the project.

### 3.4 Project Team

Relevant experience of proposed Project Manager and Supervisory Personnel. Provide a resume for each staff member that your firm will assign to this Project and their number of years in the industry and with your firm.

### 3.5 Firm Financial/Insurance/Legal Information

- Provide in a sealed envelope one copy of your organizations' financial statement including your latest balance sheet and income statement showing assets, liabilities, and retained earnings.
- Describe all current outstanding claims that your firm is involved in. Provide the following: description of claim, claim amount and status.
- Since 2011 has your firm been terminated or refused to perform any work under contract? If so, please explain.
- Bonding information: The successful bidder will be required to provide a 5% bid bond and 100% performance and payment bond for the full amount of the contract within 30 days after the date of the signing of the contract per Local Government Code §262.032 and Government code sec. 2253.021. List your current bonding capacity (aggregate and per project). List your bonding representative (name, address, contact person, phone number).

#### INSURANCE REQUIREMENTS:

The awarded bidder **must** furnish certificates of insurance or other acceptable evidence from a reputable insurance company or companies acceptable to the County, licensed to write insurance in the State of Texas, showing the contractor is covered by insurance with the minimum limits of liability:

- General Public Liability, including Product Liability Insurance as follows:  
\$250,000 for injuries to one person, \$500,000 for injuries to all persons in a single occurrence,  
\$100,000 for property damage or \$600,000 combined single limit,

- Certificate of Liability Insurance evidencing at least \$1,000,000 in liability coverage, including pollution coverage and vehicles.  
The policy shall be on the commercial general liability form and shall include coverage for acts of independent contractors.
- Statutory Workers Compensation and Employers Liability Insurance with a **waiver of subrogation in favor of the County**, evidencing at least \$500,000 in coverage per accident and each employee. In the event any work is sublet, the contractor shall require each subcontractor similarly to provide the same coverage and shall acquire evidence of such coverage of the subcontractor.
- Motor Vehicle Liability Insurance on all vehicles used in connection with the contract, whether owned, non-owned or hired as follows:  
\$250,000 for injuries to one person, \$500,000 for injuries to all persons in a single occurrence, \$100,000 for property damage or \$600,000 combined single limit
- Builders risk for 100% of the building replacement cost.

Certificates of insurance with the County listed as an additional insured under each policy **must** be provided upon the award of bid

**3.6 Provide a Fee Proposal which shall include the following:**

1. Pre-Construction Services – A Fixed Lump Sum.
2. Construction Phase Services – A Percent markup of work performed by the contractors own forces, subcontractors’ costs and material suppliers.
3. A 3% Owner’s Use Contingency. The 3% shall be 3% of the total construction cost (firmly established at the time of the GMP) and will only be used when authorized by the Owner, in writing, for unforeseen conditions, designer errors or omissions, or Owner-directed changes. Contingency usage shall be documented at each use for causation. Any unused contingencies shall be returned to the Owner. Refer to the General Conditions for this separate line item. (For the time being, assume a 3% contingency of \$57,738,570.00 total cost of construction, or \$1,732,160.00.)
4. Provide completed attachment of General Conditions as a LUMP SUM. (The General Conditions shall be subject to the percentage multiplier requested in #2)

**See the attached description of General Conditions.**

**3.7 Contract Time**

The project shall be substantially completed within \_\_\_\_\_ # of calendar days.

This contract time includes \_\_\_\_\_ # of rain days.