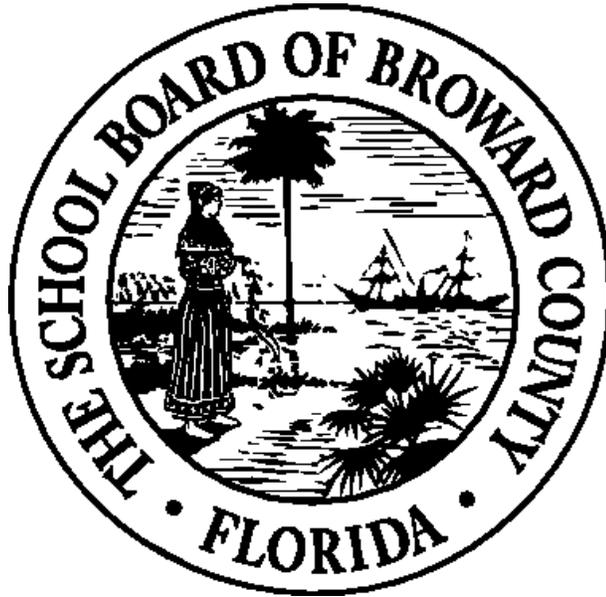


Contractor Pre-Qualification Application Form



The School Board of Broward County, Florida

Benjamin J. Williams, Chair

Ann Murray, Vice-Chair

Robin Bartleman

Maureen S. Dinnen

Patricia Good

Donna P. Korn

Katherine M. Leach

Laurie Rich Levinson

Nora Rupert

Robert W. Runcie, Superintendent of Schools

**Thomas E. Lindner, Deputy Superintendent
Facilities and Construction Management Division**

November 9, 2010

Contractor Pre-Qualification Application Procedures

The School Board (“Board”) through the Superintendent or his/her designee, shall pre-qualify all “contractors” for construction contracts, and any other contracts that require a certificate issued pursuant to Chapter 489, Florida Statutes, including, but not limited to, all bidders, construction managers, design-builders, job-order contractors, term contractors, and all other types of contractors on an annual basis or for a specific project according to the rules set forth in the State Requirements for Educational Facilities (SREF) Section 4.1(8).

Contractors shall be pre-qualified on the basis of the criteria set forth in SREF and included in the foregoing application form. In addition to the foregoing criteria the applicant shall provide the Dun and Bradstreet report indicated in the application. The evaluation committee shall be as set forth in Board Policy 7003.

The applicant shall complete the form in its entirety and submit all required documents by the deadline set forth in the public announcement. Separate applications shall be submitted for each desired contracting category.

The School Board of Broward County shall receive and either approve or reject each application for pre-qualification within sixty (60) days after receipt of application in its entirety and all required documents. Approval shall be based on the criteria and procedures set forth in SREF.

The Board shall issue to all pre-qualified contractors a certificate valid for one (1) year from the date of approval or for the specific project(s). That certificate shall include the following:

1. A statement indicating that the contractor may bid, propose, or otherwise be considered, on the specific project(s) or for this specific time period.
2. A statement establishing the total dollar value of the work the contractor will be permitted to have under contract with the Board at any one time. The maximum value shall not exceed the contractor’s bonding capacity or ten (10) times the net quick assets.
3. A statement establishing the maximum dollar value of each individual project the contractor will be permitted to have under contract with the Board at any one time. The maximum value of each project may be up to twice the value of the largest similar project previously completed but shall not exceed the contractor’s bonding capacity or ten (10) times the net quick assets.
4. A statement establishing the type of work the contractor will be permitted to provide.
5. The expiration date of the certificate.

It shall be the responsibility of the contractor to renew annually certificates not for a specific project. Financial statements or written verification of bonding capacity on file with the Board shall be updated annually. Failure to submit a new statement or verification of bonding capacity within thirty (30) days written notice by the Board shall automatically revoke a pre-qualification certificate.

1. Pre-qualified contractors may request a revision of their pre-qualification status at any time they believe the dollar volume of work under contract or the size or complexity of the projects should be increased if experience, staff size, staff qualifications, and other pertinent data justify the action.

The decision to declare a contractor delinquent may be made only by the Superintendent and must be ratified by the Board at its next regular meeting following the decision by the Superintendent. Should the contractor be determined to be delinquent, after notice and an opportunity for a fair hearing, the Board shall notify the contractor and its surety, in writing, that the contractor is disqualified from bidding, proposing, or otherwise receiving consideration, for work with the Board as long as the delinquency exists. A delinquent condition exists when one (1) or more of the following conditions occur without justifiable cause:

1. A substantial or repeated failure to comply with contract documents after written notice of such non-compliance.
2. A substantial or repeated failure to provide supervision and coordination of subcontractor's work after written notice of such failure.
3. Substantial deviation from project time schedules after written notice of non-compliance.
4. Substantial or repeated failure to pay subcontractors after the Board has paid the contractor for the work performed by the subcontractors in accordance with approved requisitions for payment.
5. Substantial or repeated failure to provide the quality for workmanship compatible with the trades' standards for the community after written notice of such failure.
6. Substantial or repeated failure to comply with the warranty requirements of previous contracts after written notice of such failure.
7. Failure to maintain the required insurance coverage after written notice of such failure.

The Board may, for good cause, suspend a contractor for a specified period of time or revoke the pre-qualification certificate. Causes for suspension or revocation shall include, but are not limited to, one or more of the following:

1. Inaccurate or misleading statements in the application.
2. Declared in default by the Board.
3. Filed for or adjudged to be bankrupt.
4. Performance, in connection with contract work, becomes unsatisfactory to the Board, based on the Board asserting and recovering liquidated damages in an action against the contractor.
5. Payment record, in connection with contract work, becomes unsatisfactory to the Board, based on the contractor's failure to comply with the Construction Prompt Pay Act (Section 715.12, F.S.).
6. Becomes delinquent on a construction project.
7. Contractor's license becomes suspended or is revoked by a licensing agency.
8. No longer meets the uniform pre-qualification criteria established in this policy.

A contractor whose application has been rejected or whose certificate has been suspended or revoked by the Board shall be given the benefit of reconsideration and appeal as follows:

1. The aggrieved contractor may, within ten (10) days after receiving notification of such action, request reconsideration in writing. The contractor may submit additional information at the time of appeal.
2. The evaluation committee shall review the additional information and make its recommendation to the Superintendent within fifteen (15) calendar days (excluding those days that the School Board of Broward County is closed, e.g.: weekends, holidays, etc).
3. The Board shall act upon the Superintendent's recommendation within thirty (30) calendar days and shall notify the contractor of its action to adhere to, modify, or reverse its original action. The Board may require additional information to justify the reconsideration.

The School Board of Broward County, Florida

Contractor Pre-Qualification Form

November 9, 2010

Page ii of iii

STATEMENT OF CONTRACTOR'S QUALIFICATION APPLICATION

Instructions for Submittal for Pre-Qualification of Contractor's Application

Each contractor, firm or person requesting pre-qualification shall submit **one (1) complete application**. The proposal shall be limited to the requested information and presented in a **three-ring binder having front & back inside pockets with sectioned labeled tabs**. Each submittal shall contain the following documentation for review by the Board's Qualifying Selection Evaluation Committee (QSEC).

1. Detailed information setting forth the applicant's:
 - a. General Information (Type of Organization, Date of Incorporation, Principals, Competence)
 - b. Provide **original** signature pages from your firm & Surety Company with Corporate Seals.
 - c. Past and Current Performance/Experience (both firm and individuals).
 - d. Provide reference form (page 12) to your references (3 minimal) to complete and submit completed reference forms with the application.**
 - e. A list of projects completed within the past five (5) years, and current projects including dates, client, approximate dollar value, and size. Of particular importance, the contractor must identify all school projects. Attach a list if necessary.
 - f. List of pending, current and past **litigation** & evidence of claim resolution for the last five (5) years.
 - g. A Public Entity Crime Statement; correctly **filled out** and **signed**.
 - h. A **Letter of Intent** from Surety Company (signed, sealed & notarized) with Power of Attorney (POA).
 - i. Financial Resources; **Audited** financial information current within the past twelve (12) months if the bonding capacity is not provided.
 - j. **Certificate(s) of Insurance**, fully completed, showing evidence of General Liability, Automobile Liability and Workers Compensation insurance with limits and coverage meeting Board's minimum requirements. Note: The School Board of Broward County, Florida must be shown as an additional certificate holder on all liability coverage.
 - k. **Dun and Bradstreet Report** (www.dnb.com)
 - i. Summary Report required if response to Item 19 of the application is \$1,000,000 or less for either Per Project or Aggregate Limits. (1-800-234-3867 for Business Information Summary Report).
 - ii. Comprehensive Report required if response to Item 19 of the application is greater than \$1,000,000 for either Per Project or Aggregate Limits. (1-866-472-7362 for Comprehensive Report).
 - l. Copies of **all** applicable certified licenses.
 - m. **Resumes** of Key individuals (both Principal officers and Project Managers/Superintendents).
2. The complete application and any financial information must be attested to and signed by an authorized officer of the company, the owner, sole proprietor, and parties to a joint venture as appropriate, and the signature shall be notarized.
3. No review, partial or otherwise, shall be conducted unless all supporting data required for a complete application has been received by the district. Applications shall be submitted to **The School Board of Broward County, Florida, Facilities and Construction Management Division, 1643 North Harrison Parkway, Building H, Sunrise, Florida 33323**. Application should be approved by the Board prior to submitting a Bid.

If you have any questions, please call The School Board of Broward County, Facilities and Construction Management Division at 754-321-1670.

The School Board of Broward County, Florida
Contractor Pre-Qualification
November 9, 2010

Application

Statement of Contractor's Qualification

A. INSTRUCTIONS

This application "Statement of Contractor's Qualification" shall be clearly filled in at the website, typewritten or in pen, properly executed by the applicant. Answer all the questions completely. Where additional space is necessary, attach supplementary sheets. No substitute form shall be used. Additional and supplementary information may be submitted as an Attachment to the application.

All applications shall be accompanied by the attached Letter of Intent from a Surety company meeting the established criteria, and authenticated by a seal. When completed, the application shall be verified, under oath, by the applicant before a Notary Public with Power of Attorney attached.

B. AUTHORITY

1. See Rule 6-2.0111, Florida Administrative Code, and Sections 1013.02, 1013.03, 1013.12, 1013.45, 1013.37, 1013.46, 255.20, 287.055, 471, 481, 489.113(2), 489.125, Florida Statutes.
2. Primary Qualifying Agent as per FS 489.105 (4).
3. Secondary Qualifying Agent as per FS 489.1195 (e).

C. APPLICATION

1. Legal Name and Address:
Company Name: _____ Phone # _____

Contracting Category: _____ Fax # _____

Qualifying Agent: _____ Agent License# _____

Contact Name/Title: _____

Mailing Address: _____

E-mail Address: _____ Cell # _____

2. M/WBE &/or Small Business certification with SBBC?

YES NO

If yes, attach copy of certificate.

3. If a Corporation, state:

Date of Incorporation: _____

Attach a copy of the Corporate Certificate

Name and Title of Qualifying Agent: _____

Name and Title of Principal Officers	Date of Inception	State Registration
_____	_____	_____
_____	_____	_____
_____	_____	_____

4. If Partnership, state:

Date of Organization: _____

Nature of Partnership (General, Limited, or Association) _____

Name and Title of Qualifying Agent _____

Name and Title of Partners	Date of Inception	State Registration
_____	_____	_____
_____	_____	_____
_____	_____	_____

5. If an individual, state:

Name and Title of Principal Officers	Date of Inception	State Registration
_____	_____	_____
_____	_____	_____
_____	_____	_____

6. If a joint venture, state:

Name and Title of Principal Owners	Date of Inception	State Registration
_____	_____	_____
_____	_____	_____

7. Attach brief resumes of key members of your organization, including name, title, years of experience, type work experience, prior job description(s), etc. Please respond to the following regarding the staff:

Previous Education Facility? YES NO Range of Construction Costs \$ to \$
Previous SBBC projects? YES NO Years of similar experience:
Number of similar projects in the past 5 years: _____ Project management staff:

8. How long has your firm been in business as a General Contractor or Specialty Contractor?

Please respond to the following questions regarding the firm:

Previous Education facility? YES NO Projects completed in past year: _____
Previous SBBC projects? YES NO Current projects:
Number of similar projects in the past 5 years: _____ Range of Construction Costs \$ to \$

9. How many years has your organization been in business under its present business name?

10. Under what other or former names has your organization operated?

11. Has your firm ever failed to complete a bonded obligation?

YES NO

If yes, give the particulars, including circumstances, where and when, name of the bonding company, name and address of the owner and disposition of the matter.

12. Within the last five years, has any officer, partner or qualifying agent of your organization ever been an officer, partner or qualifying agent of this organization or another organization when it failed to complete a construction project, or have been found in default of a construction contract, or had a construction contract terminated?

YES NO

If yes, attach a separate sheet of explanation to include but not be limited to the individual's name, employment title, name of the company, name of the project and name of the owner of the project.

13. Has your organization, any officer, partner or qualifying agent thereof ever been party to any criminal procedure as a result of or arising from contracting operations, which has resulted in a conviction, or plea bargain admitting guilt?

YES NO

If the answer to question #13, above, is "yes", state the case number, court, nature of charge, the name of the parties, sentence and fine, if any. Attach documents to this Form/Application.

14. Has your organization, any officer, partner or qualifying agent thereof, ever been party to any administrative complaint registered against you by the Department of Professional Regulations, Construction Industry Licensing Board for the State of Florida or any of its subdivisions resulting in a finding of guilt, fine, suspension or revocation of your license?

YES NO

If the answer to question #14, above, is "yes", state the name of the parties, the case number, forum, name and location, and final disposition. Attach documents to the Form/Application.

15. Has your firm previously constructed school projects in Florida?

YES NO

16. List all projects of similar size or larger than the proposed work, which your firm has completed within the last five (5) years (**list additional projects on a separate sheet**).

A. Project and Brief Description: (include square footage, number of floors, basic construction, etc.)

Project Owner: _____
Phone: _____ Fax: _____
Project Architect: _____
Phone: _____ Fax: _____ Stage of Completion: _____
Construction Contract Amount: _____
Date Completed: _____

B. Project and Brief Description:

Project Owner: _____
Phone: _____ Fax: _____
Project Architect: _____
Phone: _____ Fax: _____ Stage of Completion: _____
Construction Contract Amount: _____
Date Completed: _____

C. Project and Brief Description:

Project Owner: _____
Phone: _____ Fax: _____
Project Architect: _____
Phone: _____ Fax: _____ Stage of Completion: _____
Construction Contract Amount: _____
Date Completed: _____

D. Project and Brief Description:

Project Owner: _____
Phone: _____ Fax: _____
Project Architect: _____
Phone: _____ Fax: _____ Stage of Completion: _____
Construction Contract Amount: _____
Date Completed: _____

E. Project and Brief Description:

Project Owner: _____
Phone: _____ Fax: _____
Project Architect: _____
Phone: _____ Fax: _____ Stage of Completion: _____
Construction Contract Amount: _____
Date Completed: _____

17. List current contracts, approximate amounts, and note whether fully bonded or not
(list additional projects on a separate sheet).

A. Project and Brief Description:

Project Owner: _____
Phone: _____ Fax: _____
Project Architect: _____
Phone: _____ Fax: _____ Stage of Completion: _____
Construction Contract Amount: _____
Bond Amount: _____

B. Project and Brief Description:

Project Owner: _____
Phone: _____ Fax: _____
Project Architect: _____
Phone: _____ Fax: _____ Stage of Completion: _____
Construction Contract Amount: _____
Bond Amount: _____

C. Project and Brief Description:

Project Owner: _____
Phone: _____ Fax: _____
Project Architect: _____
Phone: _____ Fax: _____ Stage of Completion: _____
Construction Contract Amount: _____
Bond Amount: _____

D. Project and Brief Description:

Project Owner: _____
Phone: _____ Fax: _____
Project Architect: _____
Phone: _____ Fax: _____ Stage of Completion: _____
Construction Contract Amount: _____
Bond Amount: _____

E. Project and Brief Description:

Project Owner: _____
Phone: _____ Fax: _____
Project Architect: _____
Phone: _____ Fax: _____ Stage of Completion: _____
Construction Contract Amount: _____
Bond Amount: _____

18. Certificates of insurance confirming current Workers Compensation, general liability, and automobile liability insurance as required by law. (Attach copies of certificates as supplement to the application). For general liability have SBBC as additional certificate holder.

19. Indicate the highest construction value your firm wishes to be considered for and provide Dun and Bradstreet report as indicated.

- a. Summary Report required if response to Item 19 of the application is \$1,000,000 or less for either Per Project or Aggregate Limits.
- b. Comprehensive Report required if response to Item 19 of the application is greater than \$1,000,000 for either Per Project or Aggregate Limits.

PER PROJECT \$ _____

AGGREGATE \$ _____

20. Has your firm been involved in any construction-related litigation, action or claim, including but not limited to any action against or by any owner, engineer, architect, contractor, subcontractor, materialmen or supplier, whether active, pending, or concluded, at the mediation, arbitration, trial or appellate level, within the past five (5) years preceding the submission of this application. You must answer "yes" or "no" to this question. Do not answer "N/A" or "Not Applicable" to this response.

YES NO

If the answer to the above question (20) is "Yes", please provide the following information for each and every action, claim, or litigation:

- a. the style/caption of the matter
- b. the case number
- c. the forum/venue of the action
- d. a description of the claim, action, or litigation.
- e. evidence of satisfactory resolution of the claim, action, or litigation by affirming or providing documentary evidence that a final judgment has been rendered in favor of the firm or any final judgment rendered against the firm is satisfied within ninety (90) days of the date that the judgment becomes final.

Truthful and complete answers to this question will not disqualify a firm from consideration but will be a factor in the committees' selection process. Untruthful, misleading or false answers to this question shall result in the disqualification of the firm for this project.

- 21. Bonding: Submit attached Bond Form labeled "Letter of Intent FROM SURETY COMPANY". The written verification must be submitted by a licensed Surety Company rated Excellent ("A" or Better) in the current A. M. Best Guide and qualified to do business within the state.
- 22. Submit attached Public Entity Crime statement labeled "Sworn Statement Pursuant to Section 287.133(3) (a), Florida Statutes, on Public Entity Crimes".
- 23. Submit attached Affidavit of Joint Venture, if applicable.

The undersigned guarantees the authenticity of the foregoing statements, as evidenced by this sworn affidavit and does hereby authorize and request any person(s), firm or corporation to furnish any information requested by The School Board of Broward County, Florida and its authorized representative in verification of the recitals comprising this "Statement of Contractor's Qualification".

During the QSEC verification of application information provided by the contractor, should it be determined that any of the information provided is inaccurate, the contractor agrees that such inaccuracies are grounds for rejecting the contractor's application from further processing.

Firm: _____

For the Firm: _____
 (Authorized Officer of the Company, The Owner, or Sole Proprietor)

(CORPORATE SEAL OF THE FIRM)

 TITLE

The foregoing instrument was subscribed and sworn to by _____ before me this _____ day of _____, 20 _____.

Notary Public: _____:
 My Commission Expires:
 (Notary Seal/Stamp):

LETTER OF INTENT FROM SURETY COMPANY

The School Board of Broward County, Florida
1700 SW 14 CT
Fort Lauderdale, FL 33312

Administrator:

This is to advise that, until further notice in writing to you, we agree to provide bonds on behalf of _____ covering construction in the amount of \$_____ for any single contract and \$_____ in the aggregate of outstanding contracts.

When more than one surety is included in this letter of intent, unless clearly indicated to the contrary on this letter of intent, and a separate limit indicated for the surety on this letter of intent, each surety agrees that it shall be jointly and severally liable with the other sureties included in this letter of intent.

PERFORMANCE RATING: _____
(A or better required)

PERFORMANCE RATING: _____
(A or better required)

FINANCIAL SIZE: _____

FINANCIAL SIZE: _____

Name of Surety

Name of Surety

BY: _____

BY: _____

(Affix Seal)

(Affix Seal)

Sworn to and subscribed before me this _____
day of _____, 20_____.

Sworn to and subscribed before me this _____
day of _____, 20_____.

Notary Public: _____

Notary Public: _____

My commission expires: _____
(Notary Seal/Stamp)

My commission expires: _____
(Notary Seal/Stamp)

(Printed, typed or stamped commissioned name
of notary public)

(Printed, typed or stamped commissioned name
of notary public)

PRE-QUALIFICATION STATEMENT ON PUBLIC ENTITY CRIMES

A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list. See: Section 287.133(2) (a), Florida Statutes.

A “public entity crime” means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any bid or contract for goods or services, any lease for real property, or any contract for the construction or repair of a public building or public work, involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation. See: Section 287.133(1) (g), Florida Statutes.

“Convicted” means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere. See: Section 287.133(1) (c), Florida Statutes.

An “affiliate” means (1) a predecessor or successor of a person convicted of a public entity crime; or (2) an entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term “affiliate” includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm’s length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate. See: Section 287.133(1) (a), Florida Statutes.

The Applicant hereby certifies that (1) it and its affiliates have not been placed on the convicted vendor list within the past 36 months or (2) any listing of the Applicant or any of its affiliates on the convicted vendor list has been removed pursuant to Section 287.133(3)(f), Florida Statutes. If the Applicant or an affiliate has been removed from the convicted vendor list pursuant to Section 287.133(3) (f), Florida Statutes, the name of the convicted Applicant or affiliate is as follows:

 State Name of **Convicted** Applicant or Affiliate or N/A Here

Name of Firm: _____

Address of Firm: _____

Signature for the Firm: _____

Title of Person Signing for the Firm: _____

Signature of Witness: _____

Witness’ Relationship to the Firm: _____

AFFIDAVIT OF JOINT VENTURE

State of Florida) **SS.**
County of Broward)

Before me, the undersigned authorities, personally appeared _____
and _____ (called "Affiants"), who being first respectively duly sworn,
depose and say:

1. Affiants as officers or principals of the undersigned entities, are representatives of the joint venture known as _____ located at _____ and is duly authorized to file this affidavit on behalf of the joint venture.
2. Affiants state that the joint venture is registered or certified to engage in the construction business in the State of Florida and bears the registration or certification No. _____, dated _____ and issued at _____.
3. Affiants are filing this affidavit of joint venture as required for pre-qualification to bid on The School Board of Broward County, Florida Project No. _____.
4. A true copy of the Joint Venture Agreement is attached as Exhibit "A". Said Joint Venture Agreement is in full force and effect and has not been modified, amended, changed or rescinded in any manner and the sole parties having interest in said Joint Venture Agreement are Affiants and the entities they represent as indicated below.

Signature Date

(Print name of company and title)

Signature Date

(Print name of company and title)

The foregoing instrument was subscribed and sworn to by _____
before me this _____ day of _____, 20_____.

Notary Public _____
My commission expires _____
(Printed, typed or stamped commissioned name of notary public)

(Notary Seal/Stamp)

APPLICANT-PLEASE PROVIDE THIS FORM TO YOUR REFERENCES AND SUBMIT A MINIMUM OF 3 COMPLETED FORMS WITH APPLICATION.

REFERENCES FOR
NEW APPLICATION
CONTRACTOR PRE-QUALIFICATION

**DEAR REFERENCE:
PLEASE COMPLETE THIS FORM AND RETURN IT TO THE BELOW NAMED APPLICANT:**

REFERENCE FOR (company name): _____
(Please provide reference for the above company)

Company Name (providing reference): _____

Your name: _____

Your title: _____

Your phone number: _____

Name of Project: _____

Date of Completion: _____
(Projects must have been completed within the last 5 years)

Please respond to the following questions;

1. Project Completed On Time Per Original Contract Duration: YES - NO

If No:
Time Extension Approved? YES - NO
Liquidated Damages Assessed? YES - NO

2. On Budget Per Owner's Original Budget: YES - NO

If No:
Change Orders Approved? YES - NO

If Yes, list percentage or dollar amount attributable to each Category:

_____ % Errors & Omissions
_____ % Unforeseen
_____ % Owner Request

3. Quality of Work: ABOVE AVERAGE AVERAGE BELOW AVERAGE

4. Would you hire this firm again: YES - NO