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
Jennifer Leonard Gottlieb
Laurie Rich Levinson
Nora Rupert
David Thomas, NBCT

James F. Notter, Superintendent of Schools Thomas E. Lindner, Acting Deputy Superintendent Facilities and Construction Management Division

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 prequalification 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 School Board of Broward County, Florida

Contractor Pre-Qualification Form November 9, 2010 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 prequalification 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

STATEMENT OF CONTRACTOR'S QUALIFICATION APPLICATION

<u>Instructions for Submittal for Pre-Qualification of Contractor's Application</u>

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 <u>original</u> 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 return. It is the contractor's responsibility to have reference complete and return to Facilities & Construction Management Division.
 - 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 <u>Letter of Intent</u> from Surety Company (signed, sealed & notarized) with Power of Attorney (POA).
 - i. Financial Resources; <u>Audited</u> financial information current within the past twelve (12) months if the bonding capacity is not provided.
 - j. <u>Certificate(s) of Insurance</u>, 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).
 - 1. 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, 1700 SW 14th CT, Fort Lauderdale, Florida 33312, Building 4 Reception.** 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. <u>INSTRUCTIONS</u>

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. <u>AUTHORITY</u>

- 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).

If yes, attach copy of certificate.

3. Secondary Qualifying Agent as per FS 489.1195 (e).

C. <u>APPLICATION</u>

	egal Name and Address: ompany Name:		Phone #	
Co	ontracting Category:		Fax #	
Qu	alifying Agent:		Agent License#	
Co	ontact Name/Title:			
Ma	ailing Address:			
— Е-п	nail Address:		Cell #	
M/	WBE &/or Small Business cert	tification with SB	BC?	
	YES	NO		

The School Board of Broward County, Florida

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	
If Partnership, state: Date of Organization: Nature of Partnership (General, Limited, on Name and Title of Qualifying Agent	 or Association)	
Name and Title of Partners	Date of Inception	State
Name and Title of Partners	Inception	State Registration

The School Board of Broward County, FloridaContractor Pre-Qualification Application Form
November 9, 2010

7.	Attach brief resumes of key memb experience, type work experience,	• •	ganization, including name, title, ye ription(s), etc. Please respond to the		ng
	regarding the staff:				
	Previous Education Facility?	YES NO		to	\$
	Previous SBBC projects? Number of similar projects in the	YES NO past 5 years:			
8.	How long has your firm been in bus			actor?	
-	Please respond to the following q	uestions regardi	ng the firm:		
	Previous Education facility?	YES NO			
	Previous SBBC projects?	ATEC NO			
	Number of similar projects in the	past 5 years:	Range of Construction Costs \$	to	\$
9.	How many years has your organiza	tion been in bu	siness under its present business na	ame?	
10.	Under what other or former names	has your orga	nization operated?	_	
11.	Has your firm ever failed to complete	lete a bonded o	obligation?		
	YES	NO			
	If yes, give the particulars, includ name and address of the owner ar	•	ices, where and when, name of the of the matter.	bonding	company,
12.		s organization	ner or qualifying agent of your org or another organization when it fai ruction contract, or had a construct	iled to co	omplete a construction
	YES	NO			
			include but not be limited to the in and name of the owner of the project		's name, employment
13.	Has your organization, any office as a result of or arising from contiguilt?		nalifying agent thereof ever been pons, which has resulted in a convic		

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

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

YES

NO

adı Co	ministrative complaint registered	d against you by the ard for the State of Flo	ing agent thereof, ever been party to any e Department of Professional Regulations, orida or any of its subdivisions resulting in a use?
	YES NO)	
	the answer to question #14, above and location, and final disposi		name of the parties, the case number, forum, ts to the Form/Application.
15. Ha	s your firm previously constructed	d school projects in Flo	orida?
	YES NO)	
the	e last five (5) years (list additiona)	l projects on a separa	work, which your firm has completed within te sheet). number of floors, basic construction, etc.)
	Project Owner:		
	Phone:	Fax:	
	Project Architect:	<u>-</u>	Stage of Completion:
	Phone:	_ Fax:	Stage of Completion:
В.	Project and Brief Description:		
	Project Owner:		
	Phone:	Fax:	
	Project Architect:		
	Phone:	Fax:	Stage of Completion:
	Date Completed:		
C.	Project and Brief Description:		
	Project Owner:		
	Phone:	Fax:	
	Project Architect:		
			Stage of Completion:
	Construction Contract Amount: _		

Date Completed:

Droice	t Owner	
Phone	t Owner: Fax:	
Projec	· For	Stage of Completion: _
Constr	Fax	Stage of Completion
Date	Completed.	
E. Projec	t and Brief Description:	
Projec	t Owner:	
Phone	: Fax:	
	t Architect:	
Phone	: Fax:	Stage of Completion: _
Constr	ruction Contract Amount:	Stage of completion _
	Completed:	
(list addi	ent contracts, approximate amounts, and tional projects on a separate sheet).	
(list addi		
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The School Board of Broward County, FloridaContractor Pre-Qualification Application Form
November 9, 2010

C.	Project and Brief Description:		
	Project Owner:		
	Phone:		
	Project Architect:		
			Stage of Completion:
	Construction Contract Amount:Bond Amount:		
D.	Project and Brief Description:		
	Project Owner:		
	Phone:		
	Phone:	Fax:	Stage of Completion:
	Construction Contract Amount:		
	Bond Amount:		
	Project Owner:		
	Phone:	Fax:	
	Project Architect:		
	Phone:	Fax:	Stage of Completion:
lia		(Attach copies of ce	npensation, general liability, and automobile ortificates as supplement to the application). older.
	radstreet report as indicated.	•	o be considered for and provide Dun and application is \$1,000,000 or less for either
	Per Project or Aggregate Limits. b. Comprehensive Report required i for either Per Project or Aggregat	•	of the application is greater than \$1,000,000

20	
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: _(CORPORATE SEAL OF THE FIRM)	(Authorized Officer of the Company, The Owner, or Sole Proprietor)			
The foregoing instrument was subscribed and sworn today of, 20		_before m	ne 1	this
Notary Public:: My Commission Expires: (Notary Seal/Stamp):				

The School Board of Broward County, Florida

LETTER OF INTENT FROM SURETY COMPANY

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.

The School Board of Broward County, Florida

of notary public)

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:** PERFORMANCE RATING: (A or better required) (A or better required) FINANCIAL SIZE: FINANCIAL SIZE: Name of Surety Name of Surety BY: _____ (Affix Seal) (Affix Seal) Sworn to and subscribed before me this Sworn to and subscribed before me this day of ______, 20____. day of ______, 20_____. Notary Public: Notary Public: _____ My commission expires: My commission expires: (Notary Seal/Stamp) (Notary Seal/Stamp) (Printed, typed or stamped commissioned name (Printed, typed or stamped commissioned name

The School Board of Broward County, Florida

of notary public)

FINANCIAL STATEMENT

If you do not submit a Letter of Intent from Surety, you must **submit an audited financial statement**, not more than twelve (12) months old including Contractor's latest balance sheet and income statement showing the following items:

- a. Current Assets (e.g., cash, joint venture accounts, accounts receivable, notes receivable, accrued income, deposits, materials inventory and prepaid expenses):
- b. Net Fixed Assets:
- c. Other Assets:
- d. Current Liabilities (e.g., accounts payable, notes payable, accrued expenses, provision for income taxes, advances, accrued salaries, and accrued payroll taxes):
- e. Other Liabilities (e.g., capital, capital stock, authorized and outstanding shares par values, earned surplus, and retained earnings):

Name of Certified Public Acc	ountant preparing financial state	ement and date of same:
Name of CPA or Fir	m	Date
Is this financial statement for	the identical organization name	d on page one of the application?
	=	the organization whose financial statement is
Will this organization act as g	guarantor of the contract for cons	struction? YES NO
affidavit and does hereby authrequested by The School Boar	norize and request any person(s) rd of Broward County, Florida, a this "Statement of Contractor's	financial statement, as evidenced by this sworn of the properties of the pr
SEAL of the Firm	Signed for the Firn	n:
		Name/Title
	s subscribed and sworn to by, 20	before me this
Notary Public:	My commission	on expires:
(Notary Seal/Stamp)		

The School Board of Broward County, Florida

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 contender. 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.

and	nacisigned ad	(called "Affiar	l	uly swor
depose and say:		· ·		
			ties, are representatives of the joint	
			and is duly authorized to file th	nis affida
on behalf of t	the joint ventu	are.		
State of Flori	da and bears	the registration or certificatio	fied to engage in the construction b n No	
		davit of joint venture as requi , Florida Project No	red for pre-qualification to bid on T	Γhe Scho
4. A true copy of		\mathcal{L}		<i>,</i> 11810011.
is in full force	e and effect a es having inte	nd has not been modified, amerest in said Joint Venture Ag	ended, changed or rescinded in any reement are Affiants and the entitie Date	y manner
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The School Board of Broward County, Florida Contractor Pre-Qualification Application Form November 9, 2010

To The Applicant-Please provide form to your references

REFERENCES FOR RENEWAL OF CERTIFICATE CONTRACTOR PRE-QUALIFICATION

To The Reference-Please complete and forward to Facilities & Construction Management The School Board of Broward County Florida:

The School Board of Broy	ward County, Florida;		
To: Daisy or e-mail: da	aisy.rodriguez@browardsch	nools.com	
Mickey or e-mail:	mickey.aviles@browardsch	nools.com	
Fax to: 754-321-1688 To	confirm receipt call: Daisy	at 754-321-1670	
		at 754-321-1671	
REFERENCE FOR (com	pany name):		
(Please provide reference	for the above company)		
ı	r 3,		
Company Name (providin	g reference):		
Your name:			
\$7 (2.1			
Your title:			
Your phone number:			
Name of Project:			
Date of Completion:			
(Projects must have been of	completed within the last 5	vears)	
· J	1	,	
Please respond to the follo	owing questions;		
1. Project completed ON	ГІМЕ:	YES - NO	
If No:			
Time Extension Approved		YES - NO	
Liquidated Damages Asse	essed?	YES - NO	
2. On Budget:		YES - NO	
If No:		125 1(0	
Change Orders Approved	7	YES - NO	
If Yes:	•	TES TO	
Errors & Omis	sions		
% Unforeseen	3510115		
% Omoreseen % Owner Reques	+		
70 Owner Keques	ı		
3. Quality of Work:	ABOVE AVERAGE	AVERAGE	BELOW AVERAGE
4 Would you hire this firm	n again:	YES - NO	

The School Board of Broward County, Florida