

PUBLIC WORKS NOTICE 2023-02
PRE-QUALIFICATION OF GENERAL CONTRACTORS
TO BID ON PUBLIC WORKS PROJECT

NOTICE IS HEREBY GIVEN that the Frederick-Firestone Fire Protection District (“*District*”), a political subdivision of the State of Colorado, is soliciting general contractor applications for pre-qualification to bid on the construction of the District’s **Administration Building Remodel** (“*Project*”). Only general contractors who have been approved through this pre-qualification process will be eligible to bid on the Project.

Beginning 8:00 a.m. (MST) on Thursday April 20, 2023, the pre-qualification application (“*Application*”) may be obtained either in-person at the District’s administrative office located at 8426 Kosmerl Place, Frederick, Colorado 80504, or by requesting a copy of the Application by email to **Gary Cahill** at the following email address: **cahill@dunakilly.com**. The subject line for the email must state: “*Request for Prequalification Application – Administration Building Remodel*”.

All Applications must be received by the District on or before 4:00 p.m. (MST) on Thursday May 4, 2023 (“*Submission Deadline*”). Applications received after the Submission Deadline will not be considered. Applications must be submitted by email to **Gary Cahill** at the following email address: **cahill@dunakilly.com**. The subject line for the email must state: “**Prequalification Application Submission – Administration Building Remodel**”.

Contractors are solely responsible for ensuring that their emailed Applications have been received by the District. The District will not search for emailed Applications that are not delivered or are delivered to "spam" or "junk" folders. Contractors may contact **Gary Cahill at 720.346.8377** to confirm that their emailed Application has been received. Contractors preparing and submitting an Application do so solely at their own expense.

Each Application must conform and be responsive to the standard application form provided by the District. Any deviation from the standard application form or failure to provide the required information may be considered nonresponsive and grounds for disqualification and rejection of the Application in the District’s sole discretion. The District has the right, in its sole discretion, to reject any or all Applications and to waive any irregularities in any Application received. The District also has the right to modify or terminate this selection process or the Project any time in its sole discretion. Submitted Applications become the District’s property and will be considered public records within the meaning of the Colorado Open Records Act, unless a general contractor conspicuously labels the portion(s) of its Application that it deems confidential and proprietary as “Confidential and Proprietary”, and separates such materials from the rest of the Application. The general contractor is solely responsible for all costs incurred in preparing and submitting an Application.

INSTRUCTIONS FOR COMPLETING THE PRE-QUALIFICATION APPLICATION

Thank you for your interest in pre-qualifying to bid on Frederick-Firestone Fire Protection District's construction of its **Administration Building Remodel**. Please read these instructions in their entirety before completing the attached pre-qualification application ("**Application**"). All Applications must be received by the District on or before **4:00 p.m. (MST) on Thursday May 4, 2023** ("**Submission Deadline**"). Applications received after the Submission Deadline will not be considered. Applications must be submitted by email to **Gary Cahill** at the following email address: **cahill@dunakilly.com**. The subject line for the email must state: "**Prequalification Application Submission – Administration Building Remodel**".

Bidders are solely responsible for ensuring that their emailed Applications have been received by the District. The District will not search for emailed Applications that are not delivered or are delivered to "spam" or "junk" folders. Bidders may contact **Gary Cahill at 720.346.8377** to confirm that their emailed Application has been received. Bidders preparing and submitting an Application do so solely at their own expense.

Pre-qualified Bidders will be determined by the District, in its sole discretion, based upon the submitted Application and any other information available to the District. The District may ask a bidder to submit additional information pertinent to the Application. The District has the right to investigate and rely upon information from other available sources in addition to any documents or information submitted by the bidder.

The District, in its sole discretion, will determine issues of compliance and whether a bidder's Application is complete and responsive. The District, in its sole discretion, will determine a bidder's quality, fitness and capacity to perform the Project in strict conformance with the Contract Documents. The District's decision on pre-qualification will be based on several factors, including but not limited to, the following:

1. Construction Experience on Comparable Projects
2. Litigation/Arbitration History
4. Project Personnel
5. Insurance Requirements
6. Bonding Information
7. Financial Information

In addition to being disqualified for failing to submit an Application by the Submission Deadline or failing to meet one or more of the District's evaluation criteria, a bidder may be automatically disqualified for any one or more of the following:

1. Omission of requested information;
2. Falsification of information;
3. Lack of bondability;
4. Lack of insurability;
5. Lack of Declaration under penalty of perjury that the Application is true and accurate and executed by a duly authorized officer of the bidder.
6. Lack of experience in constructing comparable projects.

Those pre-qualified bidders, if any, that the District invites to bid on the Project shall be subject to, and must fully comply with, all of the requirements of the bidding documents, including but not limited to the provision of a Payment and a Performance Bond, a liquidated damages clause, statutory retainage, and entering into the District's modified AIA Contract Documents with a Guaranteed Maximum Price acceptable to the District.

PRE-QUALIFICATION APPLICATION

Project: Administration Building Remodel

Description: Interior remodel to the existing one story building. Includes demolition of existing spaces, new finishes, lighting, mechanical, plumbing, adding offices and conference room and training room, abandoning existing sewer field and connecting sewer to city main.

Architect: Allred & Associates

Estimated Cost of Construction: \$1,100,000.

Estimated Construction Period: Bidding documents June 2023 with construction start August 2023. District is considering occupying the facility during the construction and therefore having a two-phase approach versus leaving the building during construction.

I. GENERAL INFORMATION

Firm/Contractor Name: _____

Business Address: _____

Telephone: _____

Fax: _____

E-mail: _____

Type of Firm: Corporation: _____ Proprietorship: _____ Partnership: _____ Joint Venture: _____

Other (please describe): _____

Number of years in business under firm name: _____

Full names of firm's owners (> 10% ownership), officers and managing employees:

Has the firm changed its name within the past 3 years?

If yes, provide former name(s): _____.

(Copy this application and answer the questions in Sections I through ___ for each former firm name and attach to the current firm's application.)

Within the last three years, has there been any changes in control/ownership of the firm?

If yes, explain.

Name and title of person completing this application: _____

II. CONSTRUCTION EXPERIENCE

Has your firm successfully completed at least three (3) comparable projects within the last three years?

The Owner seeks general contractors with experience in the scope of work described in this document in the completion of comparable projects for public facilities. Comparable projects shall include the following elements **including the year that the project was completed:**

Administration/ office building remodels
Occupied or phased administration/ office building remodels
Past projects with Frederick Firestone Fire District buildings

Listed projects must have been managed and constructed under the on-going business entity that submitted for pre-qualification. Projects completed by employees for former employers are not acceptable.

Submit the following *Project Data Sheet* for **each project** submitted as evidence of your firm's general contractor experience.

PROJECT DATA SHEET

(A separate sheet must be prepared for each project submitted.)

If the entity submitting this pre-qualification application is a joint venture, the joint venture entity itself must demonstrate the required previous construction experience as a joint venture. Joint venture teams newly formed to pursue this pre-qualification opportunity are not eligible for pre-qualification. Listed projects must have been managed and constructed by the business entity that submitted for pre-qualification.

1. Project Name:
2. Project Location:
3. Project Description:
4. Construction Type:
5. Size (gross sq. ft.):
6. Business name of entity that constructed and managed this project:
7. How is this project comparable to the previous project?
8. Was the previous project completed within budget?
Cost At Bid: \$ _____
Cost At Completion: \$ _____
Explanation: _____
9. For any differing amount between cost at completion and cost at bid, distribute the sources and/or causes of the changes into the following categories:
Document Problems: \$ _____
Unforeseen Conditions: \$ _____
Owner Generated Scope: \$ _____
Regulatory Agency: \$ _____
Other (explain): \$ _____

10. Was construction of the project begun and completed within the last 3 years? YES ___ NO ___
11. Was the project completed within the original contract time? YES ___ NO ___
 - a. Contract Time at bid date (Number of calendar days) _____
 - b. Formally adjusted Contract Time (Number of calendar days; if not adjusted, state "Not Applicable") _____

- c. Actual Elapsed Time between issuance of Notice To Proceed and date of final completion (Number of calendar days) _____
- d. If completion did not occur within the Contract Time at bid date or within the formally Adjusted Contract Time, then explain the reason or reasons for the delay:

- e. For projects that have not reached final completion indicate current status with respect to contract time: _____

12. What strategic decisions did your firm contribute to the project that supported the project's success (e.g., value engineering, phasing, innovation, new technology, etc.)?

13. How did your firm manage the quality of workmanship on the job?

14. Did the Owner assess any back-charges? YES ___ NO ___
If answer is yes, explain: _____

15. Did the Owner assess any liquidated damages/delay damages/penalties? YES ___ NO ___
If answer is yes, explain: _____

16. Describe the firm's claim-avoidance strategy and/or philosophy: _____

17. Were any claims filed on the project? YES ___ NO ___
If yes, please provide the following details for each claim:
Dollar amount of claim: _____
Source of claim (e.g., subcontractor): _____
Method of resolution (e.g., negotiation, mediation, etc.): _____
Name of Project Manager: _____
Qualifications of this Project Manager: _____
Name of Project Superintendent: _____

18. Did your firm self-perform any of the work? YES ___ NO ___
If yes, please specify the trades you self-performed: _____

19. Project's Owner Information

Name:

Contact:

Title:

Address:

State: _____ Zip:

Phone: ()

Fax: ()

E-mail Address:

Architect/Engineer/ Consultants:

Architect/Engineer Contact Name:

Phone:

Architect/Engineer

E-mail Address:

(Attach additional pages with other pertinent project information as necessary.)

III. LITIGATION/ARBITRATION HISTORY

List all projects within the last (10) years in which claims were made against your firm, or claims you made against an Owner, resulting in litigation, arbitration, mediation or settlement (attach additional sheets, if necessary). Separately list all **CURRENT AND/OR /PENDING** disputes:

- Pursued via mediation, arbitration, or litigation
 - Initiated within the last ten (10) years
 - In which additional compensation is sought
 - Where alleged breach of contract is alleged
 - Indemnity is sought
 - Between your firm (or any principal of your firm) and any Owner
- If none, indicate "none". Do not leave blank.

Project Name:

Project Address:

Date Completed:

Initial Contract Value (bid award): _____

Final Contract Value:

Amount of Claim:

Brief overview of the claim and final resolution:

Has your firm been cited for OSHA violations within the past five (5) years? YES ___NO___. If yes, provide the following:

Project Name:

Project Address:

Date of Inquiry/Violation Date:

Description of the Inquiry/Violation:

Current Status and/or Resolution:

IV. PROJECT PERSONNEL

Employees listed will be considered qualified only if they have each successfully completed at least three (3) comparable projects within the last three (5) years, each with a project sum comparable to, or in excess of, the estimated construction cost(s) listed within this pre-qualification document.

At the time of bid, the general contractor will be required to reconfirm staff assignments to the project based on this submittal. If any of the staff listed in the prequalification application are no longer employed by the firm at the time the project starts, or are otherwise unavailable, the firm's

bid may be considered non-responsive. The Owner may consider substitution of listed staff by others; however, comparable project history and other relevant information must be submitted to the Owner for approval prior to the determination of bid results.

A. Project Manager(s)

Complete the following section for each listed Project Manager(s).

Name:

Years with the firm:

Licenses held:

Years of experience on projects with fire station or public entities:

The Project Manager named above was assigned and responsible for the following comparable projects:

Project

Construction Cost

- 1.
- 2.
- 3.

Provide a completed PROJECT DATA SHEET for any of the projects listed above that were not previously listed/completed in response to other sections of this pre-qualification application B.

B. Project Superintendent(s)

Complete the following section for each listed Project Superintendent(s).

Name:

Years with the firm:

Licenses held:

Years of experience on projects with fire station or public entities:

The Project Superintendent named above was assigned and responsible for the following comparable projects:

Project

Construction Cost

- 1.
- 2.
- 3.

Provide a completed PROJECT DATA SHEET for any of the projects listed above that were not previously listed/completed in response to other sections of this pre-qualification application.

V. INSURANCE REQUIREMENTS

Prospective general contractors desiring to be pre-qualified must fully comply with all bid conditions, including the following insurance coverage and associated limits.

Prospective general contractors shall submit the below form, signed by a representative of insurer and notarized. If the firm has used the current insurer for less than five (5) years, list insurer(s) previously used and indicate number of years used to demonstrate five (5) complete years of insurer history.

A. Is the insurer to be used listed by Best with a rating of A- or better, and a financial classification of IX or better (or an equivalent rating by Standard & Poor or Moody's)? YES ___ NO ___

Indicate Best Rating: _____

Indicate Best Financial Classification (or provide Standard & Poor or Moody's rating) _____

B. Is the General Contractor able to obtain insurance in the following limits for this Project? YES ___ NO ___

Workers' Compensation and Employers' Liability meeting statutory limits mandated by state and federal laws.

Comprehensive or Commercial Form General Liability Insurance - Minimum Limits of Liability Requirements:

General Aggregate - \$2,000,000

Products – Completed Operations:

Aggregate - \$2,000,000

Each Occurrence - \$1,000,000

Personal Injury - \$1,000,000

Automobile - \$1,000,000 each accident

Umbrella or Excess Liability Policy:

Each occurrence - \$5,000,000

Aggregate - \$5,000,000

Contractual Liability Insurance coverage sufficient to meet the Contractor's obligations under the General Conditions.

The foregoing insurance coverages required of the bidder, including the Umbrella or Excess Liability Policy, shall state that they are "Primary and Non-Contributory". The bidder shall ensure that the endorsements to any policy of insurance required of the bidder do not limit, diminish or eliminate any of the insurance coverages required of the bidder.

C. How long has the general contractor been with this insurer?

Number of Years: _____

D. If the entity submitting this prequalification application is a joint venture, can the joint venture or partnership entity itself obtain insurance in the limits stated above for this project? YES ___ NO ___

E. Declaration:

The undersigned declares under penalty of perjury that the insurance limits indicated above are true and correct and that this declaration was executed in _____ (County), _____, (State) on _____ (Date).

(Signature)

(Name and Title - Printed or Typed)

(Representing [Insurance Company Name])

(Firm Name)

(Address)

(City, State, Zip Code)

Telephone Number)

(Facsimile Number)

(Email Address)

(ATTACH NOTARIZATION OF INSURER REPRESENTATIVE'S SIGNATURE)

VI. BONDING INFORMATION

General contractors desiring to be pre-qualified must fully comply with all bid conditions, including providing a payment and performance bond in an amount equal to 100% of the Guaranteed Maximum Price for the Project.

General contractors shall submit the below form, signed by a representative of the surety and notarized. If the firm has used the current surety for less than five (5) years, list surety(ies) previously used and indicate the number of years used to demonstrate five (5) complete years of surety history.

A. Is the general contractor able to obtain bonding in an amount equal to 100% of the Guaranteed Maximum Price for the Project? YES ___ NO ___

B. Is it true that the surety has *not* paid out any monies for the construction activities of the general contractor whatsoever within the last five (5) years? YES ___ NO ___

If answer is no, explain on attached additional sheets.

C. How long has the general contractor been with this surety?

Number of Years: _____

E. If the entity submitting this pre-qualification application is a joint venture or partnership, has any surety paid out any monies on claims a performance and payment bond issued by a surety for the benefit of the Owner arising out of the construction activities of any member of the joint venture or partnership within the last ten (10) years?

YES ___ NO ___

Surety Declaration:

[Provide this Declaration to your surety(ies) for completion. Do not have the surety submit this information directly to the District.]

The undersigned declares under penalty of perjury that the bonding capacity indicated above is true and correct and that this declaration was executed in

_____ (County), _____, (State) on

_____ (Date).

(Signature)

(Name and Title - Printed or Typed)

(Representing [Surety Name])

(Firm Name)

(Address)

(City, State, Zip Code)

Telephone Number)

(Facsimile Number)

(Email Address)

(ATTACH NOTARIZATION OF SURETY REPRESENTATIVE’S SIGNATURE)

VII. FINANCIAL INFORMATION

A. Firms seeking to pre-qualify for this project must demonstrate average annual business construction revenue of \$15 million/year over the last five (5) consecutive years. For purposes of this pre-qualification application “business construction revenue” is defined as payments to the general contractor from Owners for construction, excluding any and all legal awards.

2022 Annual Revenue: _____

2021 Annual Revenue: _____

2020 Annual Revenue: _____

2019 Annual Revenue: _____

2018 Annual Revenue: _____

Avg over the past 5 years: _____

B. What was the largest amount of work completed in one year by the firm?

Year: _____

Total Dollar Amount: _____

Number of Projects: _____

Largest Project Amount: _____

C. Has your firm or affiliated entity ever declared bankruptcy or been in receivership?

If yes, please explain. _____

D. Attach a copy of your current reviewed or audited financial statement. The date on the statement must be within the last twelve months.

VIII. DECLARATION

The undersigned declares under penalty of perjury that all of the pre-qualification information contained in and submitted with this application is true and correct and a duly authorized officer of the Firm executed this Declaration.

Dated: _____

Company

Signature
Title