

**PRE-QUALIFIED CONTRACTORS TO PROVIDE SERVICES TO THE
SCHOOL DISTRICT OF ESCAMBIA COUNTY**

Effective June 1, 2002, only bids from pre-qualified contractors for educational facilities will be received. Please submit **two (2)** bound copies to the Office of Facilities Planning and also, applications must include a cover letter signed by the person having authority to enter into agreement with the Escambia County School Board. Please submit packages to:

Mr. M. Keith Wasdin, Director
School District of Escambia County, Facilities Planning
30 East Texar Drive, Room 158
Pensacola, FL 32503

If you have any questions, please contact M. Keith Wasdin at (850) 469-5669, or fax any questions to (850) 469-5634.

PRE-QUALIFICATION OF CONTRACTORS. Effective **June 1, 2002**, only bids from pre-qualified contractors for Educational Facilities will be received. The Board shall pre-qualify general educational facilities contractors for a one (1) year period, **November 1st through October 31st** of the following year. **All applicants must renew by October 1st** of each year, **regardless of the date of the initial application.** The intent of this section is to prescribe uniform requirements for Pre-Qualification of contractors. Contractor is defined as a firm who is licensed to supervise the work within the scope of the educational facility construction project being bid on. The Superintendent shall appoint a four (4)-member Contractor Pre-Qualification Review Committee consisting of the Assistant Superintendent for Operations, Director of Maintenance, Director of Facilities Planning, Purchasing Manager, and the Director of Risk Management. The Contractor Pre-Qualification Review Committee shall report its recommendations to the Superintendent of Schools for review. Upon review, the Superintendent of Schools will submit it to the School Board for approval. The Board shall receive and either approve or reject each application for pre-qualification **within sixty (60) calendar days** after receipt by the Board's administrator. **Minimum approval time will be thirty (30) calendar days.**

- (a) Criteria. Contractors shall be pre-qualified by the Board on the basis of the following criteria:

Proof that the contractor holds a contractor's license which authorizes the contractor to supervise the work within the scope of the construction project.

Evidence that the applicant has financial resources to start-up and follow-through on projects and to respond to damages in case of default as shown by written verification of bonding capacity equal or exceeding the amount of any project for which the contractor seeks pre-qualification.

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.

Evidence of experience with construction techniques, trade standards, quality workmanship, project scheduling, cost control, management of projects, and building codes for school related projects as shown by the successful completion within the last **five (5) years of at least two (2)** other projects of similar size to that which bidding is intended.

Evidence of satisfactory resolution of claims filed by or against the contractor asserted on projects of the same or similar size **within the five (5) years preceding** the submission of the application. Any claim against a contractor shall be deemed to have been satisfactorily resolved if final judgment is rendered in favor of the contractor or any final judgment rendered against the contractor is satisfied within **ninety (90) days** of the date the judgment becomes final.

Type of work for which the contractor is licensed:

- (b) Application. In order to allow the Board to apply the uniform criteria in subsection (a), the Board shall require each contractor, firm or person requesting pre-qualification to submit separate applications that include the following:
 1. Completed **AIA Form "A305", 2020 Edition**, setting forth the applicant's competence, past performance, experience, financial resources, and capability, including a **Public Entity Crimes Statement (located on Facilities Planning website)**, and references. A financial statement is not required if the contractor's surety company provides verification of the contractor's bonding capacity as provided in paragraph 4.3.1.
 2. Evidence that the applicant has financial resources to start-up and follow-through on projects and to respond to damages in case of default as shown by written verification of bonding capacity equal to or exceeding the amount of any project for which the contractor seeks pre-qualification. This 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 with the state. In the absence of such written verification, the Board may require the applicant to submit any audited financial information necessary to evaluate an applicant's financial ability to perform the project and to respond to damages in the event of default.
 3. General Information about the company, its principals, and its history including state and date of incorporation. Provide proof of incorporation.
 4. Contractor trade categories and information regarding the state and local licenses and license numbers held by the applicant. The contractor must provide an **unexpired** certificate issued by the **Florida Construction Industry Licensing Board** in accordance with **Chapter 468, Part 2, Licensing of Construction Industry, Florida Statutes 1969**, as either State Certified General Contractor or Building Contractor.

5. A list of projects completed **within the past five (5) years**, including dates, client, approximate dollar value, and size.
6. Certificates of insurance confirming current workers' compensation, public liability and property damage insurance as required by law.
7. A list of all pending litigation and claims **within the past five (5) years**, including an explanation of each. Litigation initiated by the contractor to protect the contractor's legal rights **shall not** be used as a basis for rejecting pre-qualification.
8. The completed application and financial information shall be attested to and signed by an authorized office of the company, the owner, or sole proprietor, as appropriate, and the signature **shall** be notarized.
9. EXCEPTION: When two (2) or more pre-qualified contractors wish to combine their assets for a specific project, they may do so by filling an affidavit of joint venture. **Such affidavit shall be valid only for that specific project.**

(c) Issuance of Certificate. Certifying letters **shall** be renewed annually.

1. A statement indicating that the contractor may bid projects during the time period specified.
2. A statement establishing the total dollar value of work the contractor will be permitted to have under contract at any one time as determined by the contractor's bonding capacity.
3. A statement establishing the maximum dollar value of each individual project the contractor will be permitted to have under the contract with the Board at any one time.
4. A statement establishing the type of work the contractor will be permitted to provide.
5. The expiration date of the letter.

(d) Renewal of Certificate. Certifying letters shall be renewed annually.

1. 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, after **at least thirty (30) days** written notice by the Board, shall automatically revoke a pre-qualification certificate.

2. The Board may allow pre-qualified contractors to request a revision of their pre-qualification status at any time they believe the dollar volume of work under contract or the size and complexity of projects should be increased. Experience, staff size, staff qualifications, and other pertinent data justify the action.
- (e) Delinquency. The decision to declare a contractor delinquent may only be made by the Superintendent and must be ratified by the Board at its regular meeting following such decision by the Superintendent. Should a contractor be determined to be delinquent, after notice and an opportunity for a fair hearing, the Board shall notify the contractor and his surety in writing, that the contractor is disqualified from bidding work with the Board as long as the delinquent status exists. A delinquent condition may be determined to be in effect when one (1) or more of the following conditions occur without justifiable causes:
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 and in accordance with approved requisitions for payment;
 5. Substantial or repeated failure to provide the quality of 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.
- (f) Suspension or Revocation. The Board may, for good cause suspend a contractor for a specified period of time or revoke the contractor's pre-qualification. Causes for suspension or revocation shall include, but not be limited to, one or more of the following:
1. Inaccurate or misleading statements included in this application;
 2. Declared in default by a Board;
 3. Adjudged to be bankrupt. Filing a voluntary petition for bankruptcy or reorganization under the bankruptcy code;

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 Board asserting and recovering liquidated damages in an action against the contractor's failure to comply with the **Construction Prompt Pay Act (Section 715.12, Florida Statutes)**;
 6. Becomes delinquent on a construction project pursuant to (e) above;
 7. Contractor's license becomes suspended or is revoked;
 8. No longer meets the uniform pre-qualification criteria established in this section.
- (g) Appeal. A contractor whose application has been rejected or whose certifying letter has been suspended or revoked by a 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 consideration in writing. The contractor may submit additional information at the time of the appeal;
 2. A Board shall act upon a contractor's request **within thirty (30) calendar days** after the filing 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. {Reference: Florida Statutes 235.31(2)}.