

AGENDA REQUEST FORM
The School Board of Broward County, Florida

ADDED ITEM

Meeting Date 1/18/05	Open Agenda <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Time Certain Request <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Agenda Item Number C-11
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TITLE:
Revision of Rewrite of School Board Policy 7003
Pre-Qualification of Contractors and Selection of Architects, Engineers,
Design Builders, Construction Managers, and Total Program Managers
Pursuant to the Consultants' Competitive Negotiation Act

REQUESTED ACTION:
Approve the revision of the rewrite of Policy 7003, and eliminate Policies 7009, 7010, and 7011. This is the first reading of School Board Policy 7003.

SUMMARY EXPLANATION AND BACKGROUND:
Due to input from the School Board Workshop on January 11, 2005, there has been a revision to the rewrite of Policy 7003. Replace existing policy with attached rewrite and eliminate Policies 7009 – Awarding Design-Build Contracts, 7010 – Awarding of Construction Management at Risk Contracts, 7011 – Pre-Qualification of Contractors.

This would result with consolidation of policies 7003, 7009, 7010, and 7011 into a single policy and a more uniform pre-qualification and selection process.

SCHOOL BOARD GOALS:
 •Goal One: All students will achieve at their highest potential.
 •Goal Two: All schools will have equitable resources.
 •Goal Three: All operations of the school system will demonstrate best practices while supporting student achievement.
 •Goal Four: All stakeholders will work together to build a better school system.

FINANCIAL IMPACT:
There is no financial impact to the District.

EXHIBITS: (List)
1. School Board Policy 7003, Pre-Qualification of Contractors and Selection of Architects, Engineers, Design Builders, Construction Managers, and Total Program Managers Pursuant to the Consultants' Competitive Negotiation Act

BOARD ACTION APPROVED AS AMENDED <i>See amendment attached</i> (For Official School Board Records' Office Only)	SOURCE OF ADDITIONAL INFORMATION Michael Garretson, Deputy Superintendent Facilities and Construction Management (754) 321-1520 Name Phone
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THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
FACILITIES AND CONSTRUCTION MANAGEMENT DIVISION
MICHAEL GARRETSON, DEPUTY SUPERINTENDENT

McGraw

JAN 18 2005

Approved in Open Board Meeting on:

[Signature]

School Board Chair

By:
Revised July 31, 2003
FT/MG/DH:ma

C-11 Amendment – January 18, 2005 School Board Meeting

Scrivener's Error

Page 1/1, 4. v., last sentence to read: "(Appointment shall alternate from year to year between the AGC and ~~ABC~~ (BASF))."

Motion to Amend (Carried)

Motion was made by Mrs. Bartleman, seconded by Ms. Carter and carried, to amend page 1/1, to include verbiage under 4.vi., "The Facilities Task Force Chair or designee, preferably that the designee be from a Single Member District for those projects that are within a Single Member District."

Second Motion to Amend (Carried)

Motion was made by Mrs. Bartleman, seconded by Ms. Carter and carried, to amend page 2/2, 5. Lobbying, to add verbiage, to read: "Proposers and consultants are not permitted to lobby any district personnel, or Board Member, or members of the Consultant Selection and Evaluation Committee..."

Third Motion to Amend (Carried)

Motion was made by Mrs. Bartleman, seconded by Mrs. Dinnen and carried, to amend page 2/2, to include verbiage under 8., "The evaluation committee shall function according to the School Board approved Bylaws, School Board policies, Sunshine Law and Robert's Rules of Order."

Motion to Accept (Carried)

Motion was made by Ms. Gallagher, seconded by Ms. Carter and carried, to amend to accept Policy 7003 as per the Rewrite.

(With amendments made at Board Meeting)

**PRE-QUALIFICATION OF CONTRACTORS AND SELECTION OF ARCHITECTS, ENGINEERS,
DESIGN BUILDERS, CONSTRUCTION MANAGERS, AND TOTAL PROGRAM MANAGERS
PURSUANT TO THE CONSULTANTS COMPETITIVE NEGOTIATION ACT**

The School Board shall pre-qualify bidders for construction contracts, and, publicly announce, in a uniform and consistent manner, each occasion when construction and/or professional services are required to be purchased in compliance with governing statutes and regulations. The Superintendent shall establish procedures for the pre-qualification of contractors and selection of architects, engineers, design-builders, construction managers and total program managers consistent with this policy, applicable statutes and State Requirements for Educational Facilities (SREF).

Rules

The School Board authorizes the Superintendent to:

1. Receive applications for Contractor Pre-Qualification on the attached application form in compliance with FS 1013.46 and SREF 4.1 (8), as amended. In addition to such requirements the application form shall include a requirement for the submission of Dun and Bradstreet reports. The Dun and Bradstreet reports shall be required as follows:
 - a. Summary Dun and Bradstreet Report required if the applicant requests \$1,000,000 or less for either Per Project or Aggregate Limits.
 - b. Comprehensive Dun and Bradstreet Report required if the applicant requests greater than \$1,000,000 for either Per Project or Aggregate Limits.

If the appropriate Dun and Bradstreet Report is not available to the applicant, staff shall verify references, evaluate the information contained in the application and advise the evaluation committee accordingly.
2. Develop standard Request for Qualifications (RFQ) and Request for Proposals (RFP) including selection criteria and selection procedures in accordance with applicable statutes and SREF. The Board shall approve standard RFQ and RFP forms. The School Board shall approve revisions to the RFQ and RFP forms.
3. Approve the public announcements for Contractor Pre-Qualification, RFQs and RFPs and receive responses to RFQs and RFPs.
4. Designate an evaluation committee of eleven (11) voting members for the purpose of Pre-Qualification of contractors and selection of architects, engineers, design builders, construction managers and total program managers.
 - a. The evaluation committee shall be comprised of the following voting members:
 - i. One (1) at large School Board Member or designee;
 - ii. 1. For Site Specific Procurements:
 - (a) the single member district Board Member representing the district in which the project is located; or that Board Member's designee;
 - (b) that Board Member's appointee from the general public;
 - or
 2. For County Wide Procurements;
 - (a) the other at large School Board Member or that Board Members designee; and
 - (b) an appointee of one of the at-large-School Board Members. Said appointee shall serve in rotation;
 - iii. The Superintendent shall have six (6) appointees from staff to the selection committee as follows:
 1. Deputy Superintendent, Facilities and Construction Management, or designee.
 2. Deputy Superintendent, Operations, or designee.
 3. Coordinator M/WBE, or designee.
 4. Three (3) District staff.
 - a. Director, Safety, or designee.
 - b. Senior Project Manager or assigned Project Manager I, II, or III, as applicable.
 - c. Area Director or School Principal, as applicable.

- iv. One (1) representative of the South Florida Chapter, Associated General Contractors of America (AGC) or the Builder's Association of South Florida (BASF) not having business with the District for a period of two 2 years. (Appointment shall alternate from year to year between the AGC and BASF)
 - v. The Facilities Task Force Chair or designee, preferably from the district containing the project;
 - b. One (1) non-voting staff member from the Office of the Chief Auditor shall attend all evaluation committee meetings to serve in an advisory and support role.
 - c. A quorum shall be seven (7) voting members.
 - d. The person filling each committee member position shall be rotated, on each successive procurement, from among those persons qualified to perform that function. No committee member serving in this position shall serve on three (3) consecutive projects in succession.
5. Lobbying: Proposers and consultants are not permitted to lobby any district personnel, Board Member, or members of the Consultant Selection and Evaluation Committee related to, or involved with, any procurement between the time the notice of intent to procure services is issued and the recommendation for award is acted upon by the School Board of Broward County. All oral and written inquiries must be directed to the individual identified in the procurement documents. Any proposer or any individual that lobbies on behalf of a proposer during the time specified above, will result in rejection/disqualification of said proposal.
 6. The committee shall make recommendations to the Superintendent regarding the pre-qualification of contractors. The Superintendent shall make recommendations to the Board:
 - a. Along with a report from the committee containing findings of fact indicating the proposers' compliance with the procurement requirements and scoring criteria
and the Board shall have the final approval of such recommendations.
 7. The committee shall recommend the finalist(s) for award of contracts to architects, engineers, design builders, construction managers and total program managers to the Superintendent. The Superintendent shall either recommend award of contracts to the finalist(s) selected by the committee or recommend rejection of all bids to the Board. The Board shall have final approval of such recommendations.
 8. The evaluation committee shall function according to its School Board approved By-Laws, School Board policies, the Sunshine Law and Robert's Rules of Order.
 9. Evaluation committee members shall file Financial Disclosure Forms with the Broward County Supervisor of Elections Office annually at the time prescribed by law.

AUTHORITY: F.S.287.055; F.S.1001.41; F.S. 1013.45, F.S. 1013.46, SREF 4.1(6), SREF 4.1(7), 4.1 (8),
Rules Adopted: 1/21/82
Emergency Rule: #82-14;12/16/82;85-86-17 1/16/86
Rules Amended: 1/20/83; 1/16/86; 2/19/86; 6/2/92; 6/20/95, 12/7/99
Amended Policy Approved: 8/14/01; 6/4/02; 8/5/03

**PRE-QUALIFICATION OF CONTRACTORS AND SELECTION OF ARCHITECTS, ENGINEERS,
DESIGN BUILDERS, CONSTRUCTION MANAGERS, AND TOTAL PROGRAM MANAGERS
PURSUANT TO THE CONSULTANTS COMPETITIVE NEGOTIATION ACT**

The School Board shall pre-qualify bidders for construction contracts, and, publicly announce, in a uniform and consistent manner, each occasion when construction and/or professional services are required to be purchased in compliance with governing statutes and regulations. The Superintendent shall establish procedures for the pre-qualification of contractors and selection of architects, engineers, design-builders, construction managers and total program managers consistent with this policy, applicable statutes and State Requirements for Educational Facilities (SREF).

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The School Board authorizes the Superintendent to:

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If the appropriate Dun and Bradstreet Report is not available to the applicant, staff shall verify references, evaluate the information contained in the application and advise the evaluation committee accordingly.
2. Develop standard Request for Qualifications (RFQ) and Request for Proposals (RFP) including selection criteria and selection procedures in accordance with applicable statutes and SREF. The Board shall approve standard RFQ and RFP forms. The School Board shall approve revisions to the RFQ and RFP forms.
3. Approve the public announcements for Contractor Pre-Qualification, RFQs and RFPs and receive responses to RFQs and RFPs.
4. Designate an evaluation committee of eleven (11) voting members for the purpose of Pre-Qualification of contractors and selection of architects, engineers, design builders, construction managers and total program managers.
 - a. The evaluation committee shall be comprised of the following voting members:
 - i. One (1) School Board Member from a district containing a project in the present RFQ or RFP.
 - ii. One (1) district-wide School Board Member.
 - iii. The Superintendent shall have six (6) appointees from staff to the selection committee as follows:
 1. Deputy Superintendent, Facilities and Construction Management, or designee.
 2. Deputy Superintendent, Operations, or designee.
 3. Coordinator M/WBE, or designee.
 4. Three (3) District staff.
 - a. Director, Safety, or designee.
 - b. Senior Project Manager or assigned Project Manager I, II, or III, as applicable.
 - c. Area Director or School Principal, as applicable.
 - iv. For site specific procurements, the Board Member representing the district in which the project is located, shall appoint one member of the general public who will serve as a voting member for said procurement.

For district wide procurements, the at-large Board Members shall alternate in appointing one member of the general public to serve as a voting member for the district-wide procurement.
 - v. One (1) representative of the South Florida Chapter, Associated General Contractors of America (AGC) or the Builder's Association of South Florida (BASF) not having business with the District within the time limits set forth in Board Policy. (Appointment shall alternate from year to year between the AGC and ABC)
 - vi. The Facilities Task Force Chair or Facilities Task Force Member, non-staff, from a district containing a project in the present RFQ or RFP

- b. One (1) non-voting staff member from the Office of the Chief Auditor shall attend all evaluation committee meetings to serve in an advisory and support role.
 - c. A quorum shall be seven (7) voting members.
 - d. The person filling each committee member position shall be rotated, on each successive procurement, from among those persons qualified to perform that function.
5. Lobbying: Proposers and consultants are not permitted to lobby any district personnel or Board Member related to, or involved with, any procurement between the time the notice of intent to procure services is issued and the recommendation for award is acted upon by the School Board of Broward County. All oral and written inquiries must be directed to the individual identified in the procurement documents. Any proposer or any individual that lobbys on behalf of a proposer during the time specified above, will result in rejection/disqualification of said proposal.
 6. The committee shall make recommendations to the Superintendent regarding the pre-qualification of contractors. The Superintendent shall make recommendations to the Board:
 - a. Along with a report from the committee containing findings of fact indicating the proposers' compliance with the procurement requirements and scoring criteria and the Board shall have the final approval of such recommendations.
 7. The committee shall recommend the finalist(s) for award of contracts to architects, engineers, design builders, construction managers and total program managers to the Superintendent. The Superintendent shall either recommend award of contracts to the finalist(s) selected by the committee or recommend rejection of all bids to the Board. The Board shall have final approval of such recommendations.
 8. The evaluation committee shall function according to The School Board By-Laws.
 9. Evaluation committee members shall file Financial Disclosure Forms with the Broward County Supervisor of Elections Office annually at the time prescribed by law.

AUTHORITY: F.S.287.055; F.S.1001.41; F.S. 1013.45, F.S. 1013.46, SRF 4.1(6), SRF 4.1(7), 4.1(8).
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Amended Policy Approved: 8/14/01; 6/4/02; 8/5/03

Contractor Pre-Qualification Application Procedures

The School Board ("Board") through the Superintendent or his/her designee, shall prequalify 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 prequalified 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 in the required quantity 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 beginning from the deadline date for submission established by the public announcement. Approval shall be based on the criteria and procedures set forth in SREF.

The Board shall issue to all prequalified 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 (1) 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 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 prequalification certificate.

1. Prequalified contractors may request a revision of their prequalification 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 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 pursuant to Section P above.
7. Contractor's license becomes suspended or is revoked by a licensing agency.
8. No longer meets the uniform prequalification 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 (5) 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.

CONTRACTORS PRE-QUALIFICATION APPLICATION

DID YOU REMEMBER TO:

1. Provide copies of **all** applicable licenses.
2. Provide Public Entity Crime Statement is correctly **filled out** and **signed**.
3. Provide **original** signature pages from your firm and the Surety Company (or audited financial information) **applicable Dun and Bradstreet report**, and corporate seals, **affixed** to applicable designated documents for **all** fourteen copies.
4. Provide a list of pending litigation and evidence of claims resolution; including case #'s or dates and confirmation that lists includes all claims in the last five years.
5. Provide sufficient information regarding additional management staff, support staff, agents and others affiliated with your firm, including resumes and other supporting documents.
6. Provide evidence of experience, including list of projects completed within the past five years, **particularly** identifying all school projects.
7. Provide per project and aggregate limits.
8. Submit application in **sequential numbered page order** in **one section** on **form provided**.
9. Submit application and accompanying documents in **three-ring binders**, one designated **original** and thirteen copies (except as noted in #3 above), with **sectioned tabs**.
10. Limit each proposal to **(37) thirty-seven** informational pages.

NOTE: See new requirements for Item 18 of the application requiring a Dun and Bradstreet Report. (www.Dun and Bradstreet)

The above items are common mistakes that result in rejection of applications or a delay in reviewing the application until the appropriate data has been obtained.

STATEMENT OF CONTRACTORS QUALIFICATION APPLICATION

Instructions for Submittal of Prequalification of Contractors Application

Each contractor, firm or person requesting prequalification shall submit fourteen (14) complete applications. Each proposal shall be limited to thirty-seven (37) pages presented in a three-ring binder. Each submittal shall contain the following documentation for review by the Board's Contractor Prequalification Review Committee (CPQRC).

1. Detailed information setting forth the applicants:
 - a. General Information (Type of Organization, Date of Incorporation, Principals)
 - b. Competence
 - c. Past Performance/Experience (both firms and individuals)
 - d. Financial Resources
 - e. Capabilities
 - f. Copies of Applicable certified licenses
 - g. A public Entity Crime Statement
 - h. A letter of Intent from Surety Company or any audited financial information necessary to evaluate an applicant's financial ability.
 - i. List of pending litigation
 - j. Evidence of claim resolution
 - k. Resumes of Key individuals (Job Superintendent/Project Manager)
 - l. Certificate(s) of Insurance, fully completed, showing evidence of General Liability, Automobile Liability and Worker's 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 insured on all liability coverage, except Worker's Compensation Insurance.
 - m. References
 - n. Dun and Bradstreet Report
 - i. Summary Report required if response to Item 18 of the application is \$1,000,000 or less for either Per Project or Aggregate Limits.
 - ii. Comprehensive Report required if response to Item 18 of the application is greater than \$1,000,000 for either Per Project or Aggregate Limits.
2. Audited financial information current within the past twelve (12) months. Providing written verification of the bonding capacity may satisfy this requirement.
3. A list of projects completed within the past five (5) years, including dates, client, approximate dollar value, and size. Of particular importance, the contractor must identify all school projects.
4. 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.
5. 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**, as part of the Bid Documents required to be submitted with the Bid under Article 4 Bidding Procedures of Document 00200 Instructions to Bidders.
6. If you have any questions, please call The School Board of Broward County, Facilities and Construction Management Division at (954) 765-6390.

Application

Statement of Contractor's Qualification

A. INSTRUCTIONS

This application "Statement of Contractor's Qualifications" shall be clearly filled in, 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.

B. AUTHORITY

1. See Rule 6-2.0111, Florida Administrative Code, and Sections 235.002, 235.01, 235.014, 235.06, 235.211, 235.26, 235.31, 240.327, 255.20, 287.055, 471, 481, 489.113(2), 489.125, Florida Statutes.

C. APPLICATION

1. Legal Name and Address:

Company Name: _____ Phone # _____

Qualifying Agent: _____ Fax # _____

Contracting Category: _____ License # _____

Address: _____

2. 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
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. 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
_____	_____	_____
_____	_____	_____
_____	_____	_____

4. If an individual, state:

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

5. If a joint venture, state:

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

6. Attach brief resume of key members of your organization, including name, title, years of experience, type work experience, prior job description(s), etc.

7. How long has your firm been in business as a General Contractor?

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

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

10. 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.

11. 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.

12. 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 #12, 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.

13. 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 #13, 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.

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

YES NO

15. List all projects of similar size or larger than the proposed work, which your firm has completed within the last five (5) years.

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

Project Owner: _____ Phone: _____

Project Architect: _____ Phone: _____

Stage of Completion: _____

Construction Contract Amount: _____

Date Completed: _____

B. Project and Brief Description:

Project Owner: _____ Phone: _____

Project Architect: _____ Phone: _____

Stage of Completion: _____

Construction Contract Amount: _____

Date Completed: _____

C. Project and Brief Description:

Project Owner: _____ Phone: _____

Project Architect: _____ Phone: _____

Stage of Completion: _____

Construction Contract Amount: _____

Date Completed: _____

D) Project and Brief Description:

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

E) Project and Brief Description:

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

16. List current contracts, approximate amounts, and note whether fully bonded or not.

A) Project and Brief Description:

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

B) Project and Brief Description:

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

C) Project and Brief Description:

Project Owner: _____ Phone: _____

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

D. Project and Brief Description:

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

E. Project and Brief Description:

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

17. Certificates of insurance confirming current Worker's Compensation, public liability and property damage insurance as required by law. (Attach copies of certificates as supplement to the application).

18. 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 18 of the application is \$1,000,000 or less for either Per Project or Aggregate Limits.
- b. Comprehensive Report required if response to Item 18 of the application is greater than \$1,000,000 for either Per Project and Aggregate Limits.

PER PROJECT \$ _____ AGGREGATE \$ _____

19. 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, sub-contractor, 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 (19) is "Yes", please provide the following information for each and every action, claim, or litigation:

The School Board of Broward County, Florida
Contractor Pre-Qualification Application Form
December 21, 2004

- 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.

- 20. Bonding: Submit attached Bond Form label "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.
- 21. Submit attached Public Entity Crime statement labeled "Sworn Statement Pursuant to Section 287.133(3)(a), Florida Statutes, on Public Entity Crimes".
- 22. 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 CPQRC 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.

Signed: _____
FIRM

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

(CORPORATE SEAL)

TITLE

Subscribed and sworn to before me this _____ day of _____
in the year of 20_____

Notary Public:

My Commission Expires:

(Official Letterhead of the Company)

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 State of _____

Notary Public State of _____

My commission expires: _____

My commission expires: _____

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

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

AFFIDAVIT OF JOINT VENTURE

State of Florida) SS.
County of Broward)

Before me, the undersigned authority, 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 prequalification 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 (Print name of company and title)	_____ Date
---	---------------

_____ Signature (Print name of company and title)	_____ Date
---	---------------

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

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

(Notary Seal)
Financial Statement

PREQUALIFICATION 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, nonjury 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 Here _____

Name of Applicant: _____

Address of Applicant: _____

Name of person Certifying Statement: _____

Certifying Person's Relationship to Applicant: _____

Signature of Certifying Person: _____