

CHAPTER 8.00 – MAINTENANCE SERVICES

8.111 – Pre-Qualification Procedures of Contractors on School Construction

POLICY:

1. In accordance with Section 1013.46 of the Florida Statutes enabling School Boards in the State of Florida to promulgate the standards herein, and in keeping with state Requirements for Educational Facilities, these regulations are adopted for the purpose of establishing procedures and criteria for pre-qualifying responsible and responsive contractors on school construction projects for the School Board of Levy County.
2. Pre-qualification of contractors is required for those contractors desiring to bid on Board construction projects costing over two hundred thousand dollars (\$200,000). The Board shall prequalify contractors on an annual basis or for a specific project. The Board may reject any application that contains inaccurate information. This section is applicable to bids, construction management, design build, and any other construction services application.
3. The form ("Statement of Contractor's Qualification"), properly and accurately executed, must be submitted to and certified for acceptance by the School Board of Levy County prior to the issuance of any Contract Documents.
4. No bid for a school construction project shall be accepted from a contractor who does not have a valid, pre-qualification acceptance form, as hereinafter prescribed, nor shall any bid be accepted from a contractor whose acceptance has been revoked or suspended.
5. Unless otherwise required by the School Board of Levy County, contractors on school construction projects which cost less than two hundred thousand dollars (\$200,000.00) do not have to obtain pre-qualification.
6. Pre-qualification forms will be accepted at any time during the school year, but must be completed and returned no later than thirty (30) days prior to the opening of the specific bid the contractor is responding to.
7. Application. Each contractor, firm or person requesting pre-qualification shall submit an application. The application shall include the following:

CHAPTER 8.00 – MAINTENANCE SERVICES

- a. Detailed information setting forth the applicant's competence, past performance, experience, financial resources, and capability, including a Public Entity Crime statement and references.
 - b. Audited financial information current within the past 12 months, such as a balance sheet and statement of operations, and bonding capacity. The requirement for financial information may be satisfied by the contractor providing written verification of the contractor's bonding capacity.
 - c. General information about the contractor company, its principals, and its history, including state and date of incorporation, regardless of whether the contractor is resident or non-resident of the geographic area served by the Board.
 - d. Contractor trade categories and information regarding the state and local licenses and license numbers held by the applicant.
 - e. A list of projects completed within the last five (5) years, including dates, client approximate dollar value, size and reference name for each project.
 - f. Certificates of insurance confirming current workers' compensation, public liability and property damage insurance as required by law.
 - g. A list of all pending litigation and all litigation within the past five (50) 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.
 - h. The completed application and financial information shall be attested to and signed by an authorized officer of the company, the owner, or sole proprietor, as appropriate, and the signature shall be notarized.
 - i. Acceptable contractors must be capable of fulfilling specific project requirements for bonding, insurance, staffing, completion dates, and work quality.
8. Acceptance of Contractor's Qualifications
- a. Acceptance of a contractor's qualification shall be based on the following: the competence and experience of principals and supervisory personal; the experience of the firm with similar type projects (schoolwork preferred) the financial structure, bonding capability and any special abilities of the firm and /or staff particularly relevant to the specific project.
 - b. The Superintendent will appoint a review committee to evaluate the applicant's "Statement of Contractor's Qualification.) If, after examination and evaluation of the submitted application, it fulfills the requirements herein, it will be recommended to the School Board of Levy County for acceptance and notification sent to the applicant. The district shall act upon the application for pre-qualification within sixty (60) days after the application is presented.

CHAPTER 8.00 – MAINTENANCE SERVICES

- c. The School Board of Levy County shall certify contractors according to the maximum dollar value of work that it is estimated they can satisfactorily complete. Both individual project value and aggregate total project value will be considered.
 - d. The total (aggregate) dollar value of work the contractor will be permitted to have under contract with the School Board at any time will be determined by the contractor's bonding capacity of ten (10) times the Net Quick Assets.
 - e. The maximum dollar value of each individual project the contractor will be permitted to have under contract with the School Board at any time may be up to twice the value of the largest project previously complete but shall not exceed the contractor's bonding capacity of ten (10) times the Net Quick Assets.
 - f. In no case will a contractor be certified for construction contract amounts in excess of their single contract bonding limit or their total bonding limit, inclusive of any and all outstanding contract amounts.
 - g. Past performance of a contractor shall demonstrate that the quality of workmanship on previous projects has met or exceeded acceptable industry and trade standards and the requirements of the contract documents.
 - h. Past performance of a contractor shall demonstrate that projects have been completed within the contract time limits.
9. Non-Acceptable Contractor Qualifications
- a. Rejection of a "Statement of Contractor's Qualification" or the suspension and /or revocation of a contractor's prior acceptance, shall be based, in part or whole, on any of the following:
 - 1) Incomplete application; "Statement of Contractor's Qualification"
 - 2) Out of date "Statement of Contractor's Qualification" or failure to update financial and bonding capabilities.
 - 3) Evidence of prior failure to comply with the project's contractual requirements.
 - 4) Evidence of prior failure to complete a project and/or the failure to complete a project within the contractual time frame.
 - 5) Evidence of prior failure to promptly pay subcontractors and vendors after receiving payments from the owner.
 - 6) Evidence of prior failure to provide qualified supervision and coordination of the work and for subcontractors.
 - 7) Evidence of prior failure to provide quality workmanship considered acceptable to industry or trade standards and the requirements of the contract documents.

CHAPTER 8.00 – MAINTENANCE SERVICES

- 8) Evidence of prior criminal activities within the construction industry or evidence that the contractor is in violation of State or Federal Laws in its business operations.
 - 9) Furnishing false or misleading responses to the “Statement of Contractor’s Qualification.
 - 10) Lack of qualifying experience.
 - 11) Lack of adequate financial resources.
 - 12) Lack of bonding ability.
 - 13) Furnishing incomplete financial data, or qualifying opinions, and disclaimers on data furnished by a Certified Public Accountant.
10. Request for reconsideration and revision:
- a. Any applicant for pre-qualification, aggrieved by the action of the School Board, may request in writing, within ten (10) days after receiving notification of such action, a reconsideration of the application and may submit additional data or evidence having a bearing on the applicant’s qualifications. The written request should be mailed to the Coordinator of Construction, School Board of Levy County, 480 Marshburn Drive, Bronson, Florida, 32626. The School Board of Levy County may, upon review of the additional data and/or evidence, adhere to, modify, or reverse its original action and shall notify the applicant of the action taken.
 - b. Any contractor whose acceptance is revoked and/or suspended shall be given the same benefit of reconsideration as is provided in the case of an applicant refused on an original application submittal.
 - c. A pre-qualified contractor may request a revision of his/her pre-qualification rating at any time provided additional information showing increased assets, bonding capacity, and ability to complete larger projects is submitted.

STATUTORY AUTHORITY:

1001.42, F.S.

LAWS IMPLEMENTED:

255.04, 287.055, 287.057, 1001.43, 1013.46-.48, F.S.

HISTORY:

Adopted: 10/17/00
Revision Date(s): 12/03/02,
09/24/19