INVITATION TO MBE SITEWORK CONTRACTORS TO PRE-QUALIFY TO OFFER PROPOSALS

The University of Connecticut is accepting Pre-Qualification Applications limited to the following project:

Supplemental MBE Sitework Contractors On-Call Trade Contractor Program for Projects Less than $100,000

Project Number: #OC.SITE2015.SBE
For
University Of Connecticut

Completed Applications will be accepted until 2:00 PM, September 15, 2016. Applications received after the time and date specified shall be returned unopened.

In support of and commitment with the University's Supplier Diversity goal of providing opportunities for certified Minority Business Enterprise (MBE) contractors, to complement its existing set-aside S/MBE On-call Trade Contractor Program, the University is offering the following supplemental bid opportunity. Qualifications shall be submitted on forms and in the manner specified. Pre-qualifying Package is located on the Capital Projects and Contract Administration website. www.cpca.uconn.edu. This project is listed under Construction Current Opportunities. Click on the project number for the forms. A requirement to prequalify is that all Applicants shall provide a copy of their MBE Department of Administrative Services (DAS) certification with their submission. Only Contractors certified by the Department of Administrative Services (DAS) as an MBE Contractor and pre- qualified by the University of Connecticut for this specific program will be invited to submit Proposals under this program.

Project Locations:

Most projects will primarily be at the Storrs Campus, but may include other University of Connecticut campus locations, including, but not limited to, Avery Point Groton, Hartford, West Hartford, Torrington, Stamford, Waterbury and the University of Connecticut Health Center (UCH) in Farmington.

Technical Qualifications:

The MBE Sitework Contractors that are requesting to be University pre-qualified to submit bids in this program must demonstrate, through past experience, the highest degree of ability to successfully manage and complete projects of various size, scope, nature, value and duration as the projects require. The University requires that the MBE Sitework Contractors seeking prequalification must demonstrate the understanding of the various complexities of working in occupied buildings within a Higher Education and Commercial setting.

MBE Sitework Contractors looking to prequalify are hereby advised that on any University awarded Contract, a minimum of thirty (30%) percent of the trade labor work required of the project must be self-performed. Also, On-Call Independent MBE Sitework Contractors that will be prequalified are hereby notified that, on any work subcontracted out on a project, a minimum of fifty (50%) percent of the entire scope of work is required to be awarded to DAS certified SBE/MBE Contractors including your portion of the work. As part of the prequalification evaluation process, the University will review submissions to evaluate the ability of the firm's technical ability to self-perform trade labor work.

Contractors conducting work in pre-1978 residences and child-occupied locations must be in compliance with EPA's Renovation, Repair, and Painting Rule that became effective April 22, 2010. **The contractor must also show evidence of their capabilities for handling and disposal of hazardous containing materials such as, but not limited to, asbestos**.

Contractors looking to be prequalified must be an independent licensed company (i.e. viability of the business must not be dependent on another person or company in relation to the provision of personnel, facilities, equipment or other resources and financial support including bonding). Previous project relevant work history must be submitted across the range of work listed below. Limiting it to a small selection that does not show the desired diversification required can affect a Company's prequalification into the program. Previous project relevant work shall include:

- Grading
- Excavating, earthwork, and hauling
- Concrete work and finish
- Paving and patching
- Drainage
- Waterline
- Conduit
- Foundation\footings
- Masonry and pavers
- Concrete work
- Demolition, waste removal, disposal and waste recycling
- Landscape and irrigation
- Data and communications

The project relevant experience demonstrating the contractor's performance in similar projects must be submitted on the "Attachment A" form provided with the Prequalification Documents, and as noted, there is no substitution for this form allowed. **These forms must be filled out completely with all requested information being provided. Incomplete forms will be considered non-responsive and will not be accepted. Provide a minimum of six (6) project examples equally divided within the following categories:**

- **2 each - $1 to $33,999**
- **2 each - $34,000 to $59,999**
- **2 each - $66,000 to $99,999**

Projects to be submitted may be currently in progress (75% or more in completion) or <u>preferably completed within the past three (3) years per the Attachment A form.</u> References, digital photographs, value of construction, dates of start and completion of construction and reference phone numbers shall be provided with each project provided for evaluation. **Please include a detailed description of the work performed and how it relates in comparison to the list of technical requirements noted above for this prequalification. On each submitted project, list all bullet points that were utilized to complete the project. If this list is not provided, the project may not be accepted for review.**

The ability of the Contractor to staff the project with experienced personnel shall also be a requirement. At a minimum a full-time dedicated Superintendent will be required and the contractor must demonstrate adequate levels of staffing to oversee the project through completion.

<u>Program Description:</u>

<u>On-Call Trade Contractor Program Details (for projects < $100,000)</u>

Option 1 – Equalization T&M Component: The University is committed to an equalization system that will ensure fair utilization of all Trade Contractors within the program. Through this process, CPCA will provide ongoing oversight of contractor utilization and performance. The assignment of contractors will be the sole responsibility of CPCA in collaboration with the initiating department(s), mainly Planning, Architectural and Engineering Services (PAES) and Facilities Operations and Building Services (FOBS). It is the intent that all Trade Contractors under these On-Call Contracts will be utilized within the duration of the contract. CPCA will monitor and assign Contractors based on utilization through equalization by Project/Assignment and dollar volume. Consideration is given when the need

arises for specialty type services within a trade that are limited within the on-call categories. Once under contract, the University will consider various criteria when selecting the On-Call Contractor for a project assignment, including and without limitation, the following.

(i) The size and complexity of the related project;
(ii) An On-Call Contractor's past performance on previous On-Call assignments, including quality and cost of services, as well as timeliness of performance;
(iii) An On-Call Contractor's ability and sufficiency of staff resources to deliver the services to be assigned in a timely and effective manner;
(iv) The Proposal of the On-Call Contractor that would be applicable to the scope of services;
(v) The impact the scope of services may have on other work the On-Call Contractor is currently performing;
(vi) The number and value of previous purchase orders issued to the On-Call Contractor under its On-Call contract for services in the relevant trade category; and
(vii) Other criteria utilized by the University to determine the selection that would serve the best interests of the University.

Utilizing the criteria set forth in (i)-(vii) above, the University shall evaluate the quote for a particular assignment and issue a purchase order to the On-Call Contractor if that quote is determined to be in the best interest of the University.

As part of the prequalification process, Applicants will be required, at a later date, to submit Time & Material Labor Rates on provided University forms. Evaluation of these rates will then be reviewed and negotiated for final disposition and acceptance into the On-Call Program.

Option 2 – Lump Sum Component: This component will be used to solicit the entire group of prequalified contractors in the appropriate Trade or for the entire group of Contractors for projects/assignments with a value less than $100,000. Prevailing Wage is not required for assignments/projects under $100,000, however Standard Wage is applied to those projects proposed over $50,000. Award is issued to the lowest qualified responsible bidder.

Prequalified contractors in the On-Call MBE Program will be able to participate in both components of the program.

There will be a Prequalification Review Meeting on August 24th, 2016 @ 3:00 p.m. in our Office. This meeting is Not Mandatory as it will be an open and informational session to review and answer any questions regarding the prequalification documents and the On -Call Program. Please email joshua.ferrer@uconn.edu to confirm your attendance and for directions if you would like to attend.

Joshua Ferrer
Purchasing Agent I
Capital Projects and Contract Administration

UNIVERSITY OF CONNECTICUT
MBE ON-CALL TRADE SITEWORK CONTRACTOR LESS THAN $100,000
PROJECT #OC.SITE2015.SBE

STATEMENT OF QUALIFICATIONS/ PREQUALIFICATION TO BID

Prospective bidders shall submit to the University of Connecticut a "Contractors Application and Statement of Qualifications to Bid" which shall be used to evaluate the qualifications of Applicant Contractors. Only Contractors pre-qualified by the Department of Administrative Services (DAS) and this prequalification for the University of Connecticut shall be permitted to bid on projects within this program. Applicants must be certified as an SBE/MBE Contractor as of the due date of the application**. Please submit a copy of your DAS Certificate**.

"Applicant", as used in these documents, shall include the actual legal entity or entities submitting and executing this Application for Prequalification.

The Applicant must provide to the satisfaction of the University of Connecticut responses to the questions and questionnaires contained within the following documents: The Contractors Qualification Statement Form and all required Hard Copy Documentation requested.

PREQUALIFICATION PROCEDURES AND REQUIREMENTS

Submit one (1) original; five (5) copies and one (1) electronic version (Flash Drive/CD) of the completed and signed Application to the University of Connecticut. The original submittal must be marked "Original". All elements in the original application must be contained in the copies. Please include two (2) copies of your firm's financial statement under separate cover with your original application only. Include Interim Financials if required. **Review the Financial Requirements section for this information.** The applications shall be submitted in a sealed package with the Project Name and Project Number identified on the package. These are to be delivered to:

Capital Project & Contract Administration
Attn: Joshua Ferrer
University of Connecticut
3 Discovery Drive, Unit 6076
Storrs, Connecticut 06269-6076

Applications received after the due date and time shall not receive consideration and shall be returned to sender unopened. Application Due Date is 9/15/16, received in Capital Projects & Contract Administration by 2:00 p.m. All questions pertaining to the information/documents asked for in the application must be received **no later than 2:00PM on 8/31/16. Questions must be emailed to joshua.ferrer@uconn.edu and must reference "RFI OC.SITE2016.SBE" in the subject line.** The University of Connecticut shall render any interpretations or clarifications in a form and manner which deems appropriate, given the nature and circumstances of the question involved. The University of Connecticut will not be responsible for any interpretations or instructions other than those issued in written form. No phone calls will be accepted**. All Applicants are responsible for checking the website, www.cpca.uconn.edu for any Prequalification Clarifications.**

Form of Application shall be submitted on forms identical to the "Contractors Application and Statement of Qualifications to Bid" forms included in the Prequalification Documents. Your submittal must include and be arranged as follows:

- Contractor's Statement of Qualifications (as has been provided)
- Contractor's Required Hard Copy Documentation
- Signed Checklist of Required Hard Copy Documentation

Please also note that leaving any blank spaces on the Application, or failure to completely or fully and accurately answer any questions, can result in the University of Connecticut's refusal to prequalify the Applicant.

<u>The University of Connecticut expressly reserves the following rights:</u>

- To reject any and all Applications and to waive any informalities, irregularities or technical defects in the Application if it is deemed to be in the best interest of the University.
- To rescind any prior pre-qualification; and to find any Applicant or Contractor to be non-responsible or non-qualified with respect to a specific project, notwithstanding the fact that it may have previously been pre-qualified pursuant to the pre-qualification process;
- To solicit, receive and/or utilize information from any persons or entities identified in the Application as references, or from persons or entities having knowledge of the Applicant's experience, abilities, past performance, integrity, financial status or any other item referenced in the pre-qualification documents.
- To find any Contractor to be non-responsible or non-qualified with respect to a specific project, notwithstanding the fact that it may have previously been selected for previous projects for the University.

The Applicant must completely, fully and fairly respond to all questions and requests for information contained in the Application. The University reserves the right to request the applicant to provide, or to obtain from any source it deems appropriate, additional information to obtain a fuller explanation of any response. If the Applicant believes it is necessary or appropriate to explain, in the Application, the circumstances surrounding any response, it shall have the right to do so, even if the question responded to does not specifically call for an explanation. Any failure by an Applicant to completely, fully or fairly respond to any of the questions in the Application, or to otherwise provide any information or documentation requested by the University in the pre-qualification process, to the satisfaction of the University, shall constitute grounds for a refusal to pre-qualify the Applicant and/or grounds for the revocation of any pre-qualification.

The making of any false, deceptive, fraudulent, or intentionally misleading or inaccurate statements or representations in the Application shall constitute grounds for a refusal to pre-qualify the Applicant and/or grounds for the revocation of any pre-qualification.

In this application whenever the words "you", "your firm", "your organization", etc. appear, if the entity is a joint venture, the responses to any such question shall include responses on behalf of each joint venture partner. Each such response shall identify, by initials or otherwise, the joint venture partner to whom it pertains.

Evaluation: Applicants and their Applications will be evaluated in conjunction with the objective criteria referred to herein, on the basis of the information provided in the individual Applications, as well as any information obtained in follow up to same from references, persons or other sources identified in the Application, or otherwise obtained by or known to the University.

Notification: All prospective Bidders who submit Applications will be notified of their standings as soon as practical after determination by phone, email, or letter.

Reconsideration: In the event that an Applicant is not found to be pre-qualified, it may, within three (3) business days of the date of oral, faxed or written notice, of the determination, request in writing (which must be received by the University within those three (3) business days) that the University reconsider its Application. No request received after that date shall be given consideration. The University shall again consider the matter and may either adhere to or modify its previous decision. The University shall give prompt notice to the Applicant of the action taken.

Authorization: The submission of a completed Application by an Applicant shall constitute an express authorization by the Applicant to the University to obtain all information it deems pertinent with respect to the financial worth and assets and liabilities of the Applicant, as well as its experience, abilities, past performance, integrity or any other item referenced in the pre-qualification documents from banks or other financial institutions, sureties, dealers in materials, equipment or supplies, any person identified in the Application as references, or any other persons having business transactions with the Applicant, and shall expressly authorize all such financial institutions or other persons or entities to furnish any such information requested from them by the University. The Applicant, by submission of a completed Application, also acknowledges that any information provided to or obtained by the University in the Pre-Qualification process, whether related to financial matters as noted in this Paragraph or otherwise, may be subject to disclosure under the Connecticut Freedom of Information Act; provided, however, that if the Applicant indicates that certain financial documentation, as required by Question 5.1 (and its sub-parts), is submitted in confidence, by specifically and clearly marking and identifying said documentation as CONFIDENTIAL, the University will endeavor to keep said data confidential to the extent permitted by law.

PREVIOUS EXPERIENCE

The Applicant must show or be able to demonstrate to the satisfaction of the University that it possesses the ability and capacity to successfully complete projects as outlined in the Invitation through the satisfactory past performance of work of a similar nature, size, duration, scope, and comparable dollar value to that of the subject work/projects.

The Applicant shall demonstrate to the satisfaction of the University that it has maintained a satisfactory level of performance on such similar work continuously over a three (3) year period preceding the date of the Application. If the Applicant is unable to do so, it must include in the Application any and all information demonstrating its ability and capacity to perform the work.

The Applicant shall be able to furnish references from owners, architects, or engineers indicating that it has satisfactorily and timely completed work similar to the project being bid. If delays occurred, evidence and exonerating the Applicant shall also be provided. A minimum of five (5) references must be provided.

All Contractors must possess at the time of the Application due date, a current valid license for that work issued by the State of Connecticut. The Applicant shall be able to provide project relevant experience in the various types of major trades or work required in comparison to the UCONN project and items listed in the Scope of Work. A

minimum of **six (6)** project relevant experience examples within the past three **(3)** years must be provided. Please utilize Attachment A (enclosed) to show these reference/project relevant experiences. Please fill out completely.

The Applicant shall demonstrate that it is certified by the Department of Administrative Services (DAS) as an SBE/MBE entity. This certification needs to be submitted with the prequalification.

FINANCIAL ABILITY/BONDING CAPACITY

The Applicant shall demonstrate, through the materials submitted in its Application, that it possesses sufficient financial resources and stability, and is otherwise financially responsible and able to satisfactorily self-perform and complete the work for which it intends to submit a bid.

Applicants Financials will either be accepted or rejected depending on the calculation of financial statement ratios and the comparison to standards for the industry. The ratios evaluated are the z-score (a bankruptcy predictor), suggested sales, suggested working capital, current ratio, return on new worth, and total liabilities to net worth. The standards used to compare the contractor ratios are calculated based on Dun and Bradstreet Industry Norms and Key Business ratios, as well as the size and duration of the project.

The Applicant shall demonstrate that it has sufficient bonding capacity to perform the work in question, is bonded through a surety or sureties possessing a history of responsibility, financial stability and resources satisfactory to the University, and is able to post surety bonds which may be required by any contract for which it intends to submit a bid.
In lieu of a performance, bid, labor and materials or other required bond, the applicant may provide a letter of credit. Such letter of credit shall be in an amount equal to ten per cent of $100,000. ($10,000)

Please provide two (2) copies of your firms Financial Statement. (Please see Pages 12 & 13 for Requirements).

MANAGERIAL ABILITY

The Applicant shall have on its payroll, or must be able to prove that it customarily employs managerial and supervisory personnel of the type qualified to perform the kind of work which may be called for on any project for which it intends to submit a bid. **The Applicant shall supply with the application, resumes of proposed team (Superintendent & Project Manager)** for the project including their proposed role, years with company and project relevant experience for which it intends to submit a bid.

The Applicant shall demonstrate to the satisfaction of the University that it currently has in place the capability to implement, manage, and utilize, a Quality Assurance/Quality Control/Code Compliance program including a set of procedures appropriate for the work/project or projects for which this Application is submitted. A copy of the program
must be included in the original proposal and all copies provided.

The Applicant shall demonstrate, through the information submitted in its Qualification Statement, that they have their
own Health and Safety Plan that possesses the managerial commitment necessary for and satisfactory to the University

for the proper performance of the work for which it intends to bid. A copy of the Health and Safety Plan must be included in the original proposal and all copies provided.

The Applicant shall demonstrate, through the information submitted in its Application, that it possesses the managerial resources, capability and commitment necessary for and satisfactory to the University for the proper performance of the work for which it intends to bid.

The Applicant shall read the University Code of Conduct, understand, and attest to operating and maintaining business commitments to this Code of Conduct. This Code of Conduct is part of the prequalification documents and as a part of the prequalification, the Applicant will return the signed form as acknowledgement.

TECHNICAL ABILITY

The Applicant or its principals shall own or possess rented or leased equipment of the type customarily required by contractors in the performance of contract work and that such equipment, if needed, is available for the work for which it intends to bid.

The Applicant or its principals shall have adequate physical facilities in which and from the work can be performed.

The Applicant will be required to self-perform with its own forces thirty (30%) percent of the trade labor work that the application is being submitted for. The Applicant must demonstrate that it possesses the technical capacity, resources, capability, and commitment necessary for and satisfactory to the University for the proper performance of the work for which it intends to bid.

INTEGRITY

The Applicant shall have a record of harmonious, cooperative, non-adversarial and honest relationships with Owners, including the University of Connecticut and the State of Connecticut if the Applicant has performed work on prior University or State projects, as well as with Architects, Engineers, Consultants, Subcontractors and Suppliers on prior State projects or other projects.

The Applicant shall demonstrate that it has not been cited for three or more willful or serious violations of any OSHA, or of any standard, order or regulations promulgated pursuant to such act, during the 5 year period preceding any bid which may be submitted, which violations were cited in accordance with the provisions of any State Occupational Safety and Health Act or the Occupational Safety and Health Act of 1970 and which were not abated within the time fixed by the citation; which citations have not been set aside following appeal to the appropriate agency or court having jurisdiction.

The Applicant shall not have received one or more criminal convictions related to the injury or death of any employee in the 5 year period preceding any bid which may be submitted.

The Applicant shall not have appeared on any list published by the Connecticut State Labor Commission or persons or

firms that have been found in violation of the National Labor Relations Act, 29 U.S.C. 151 et. seq., by the National Labor
Relations Board and by a final decision rendered by a federal court or that have been found in contempt of court by a final decision of a federal court for failure to correct a violation of said National Labor Relations Act on three or more occasions involving different violations during the fine preceding calendar years, if the first day of July following publications of said list has occurred less than three years prior to the award of any contract to the Applicant.

The Applicant, or any entity in which the Applicant has an interest, shall not have appeared on any list published by the Connecticut State Labor Commissioner pursuant to Connecticut General Statute's Section 31-53a(a) of persons or firms whom he or she has found to have disregarded their obligations under Connecticut General Statute's Sections. 31-53 and 31-761 to employees and subcontractors on public works projects or to have been banned from federal government contracts in accordance with the provisions of the Davis Bacon Act, 40 U.S.C. 276a-2, if said list has been published less than three (3) years prior to the award of any contract to the Applicant.

The Applicant shall demonstrate that it and its subcontractors on its previous projects have a satisfactory record of compliance with the provisions of Part III of Chapter 557 and Chapter 558; (Connecticut General Statute's Sections 31-52 through 31-57e and 31-58 through 31-76l respectively) during the five calendar years immediately preceding this Application.

The Applicant shall demonstrate that it has a satisfactory record of compliance with Connecticut General Statute's Sections 1-79 through 1-101, pertaining to Codes of Ethics for Public Officials and Lobbyists, including but not limited to Section 1-84, listing prohibited activities including the giving of "gifts", as defined therein, to public officials and employees during the five years immediately preceding this Application.

The Applicant or its principals shall not have been convicted of, nor entered any plea of guilty, or nolo contendere, or otherwise have been found civilly liable for any criminal offense or civil action involving embezzlement; forgery; bribery; falsification or destruction of record; receipt of stolen property; collusion, antitrust, conspiracy or other offenses arising out of the submission of bids or proposals on public works projects or contracts.

The Applicant shall not be the subject of any order in effect which has been issued by the Commission of Human Rights and Opportunities, pursuant to Connecticut General Statute's Section 46a-56 or any regulation, prohibiting any contracting agency of the State of Connecticut from entering into contracts with the Applicant. The Applicant shall also not be listed in any current list compiled by the Commission of contractors whom it has found to be in non-compliance with anti-discrimination or contract compliance statutes, nor shall the Applicant be the subject of any unabated or unexpired Notice of Non-Compliance issued by the Commissioner.

The Applicant shall demonstrate, through the information submitted in its Application, that, by its past and present actions and conduct, and that of its principals and principal employees, it possess the integrity necessary for and satisfactory to the University for the proper performance of the work for which it intends to bid.

CONFLICT OF INTEREST

The Applicant shall disclose and identify to the University, with its Application, any relationships which may constitute a potential conflict of interest with Purchasing, Architectural & Engineering Services, Capital Project & Contract Administration or any other University organizations or departments; or any architect, engineer, consultant,

or designer of the proposed projects for the purpose of determining whether a conflict of interest exists. All such disclosures require acceptance/approval action on the part of the University, which shall determine whether an impermissible conflict exists.

PREQUALIFIED BIDDERS LIST

Contractors who are prequalified to bid will be listed in the bid Documents on a "List of Pre-Qualified Bidders". Bids from Contractors not on the list will not be accepted. Recognizing conditions change over the course of a year, each prequalified Applicant when participating in an actual bid shall be required to submit any and all changes which have occurred since their acceptance as one of the selected pre-qualified firms.

On certain projects, if the University deems it to be in its best interests, the University reserves the right to limit the number of prequalified contractors from who bids will be solicited.

The University reserves the right to refuse to prequalify any Contractor or Subcontractor for a particular Contract notwithstanding the fact that they may have been prequalified for a previous project(s).

Please be advised that all questions must be answered completely and accurately as this will be considered during the evaluation process.

SUBMITTED TO: **UNIVERSITY OF CONNECTICUT**
OFFICE OF CAPITAL PROJECT & CONTRACT ADMINISTRATION
3 DISCOVERY DRIVE , UNIT 6076
STORRS, CONNECTICUT 06269-6076

SUBMITTED BY: _____

COMPANY NAME: _____

THE FIRM IS A: □ CORPORATION □ PARTNERSHIP □ INDIVIDUAL □ JOINT VENTURE □ OTHER

INDICATE IF YOU ARE CERTIFIED AS ONE OF THE FOLLOWING: □ MBE □ WBE □DBW □SET ASIDE

PRESIDENT'S NAME: _____

UNIVERSITY OF CONNECTICUT
MBE ON-CALL TRADE SITEWORK CONTRACTOR LESS THAN $100,000
PROJECT #OC.SITE2015.SBE

COMPANY ADDRESS: _____ □ PRINCIPLE OFFICE □ BRANCH OFFICE

_____

PHONE:_____ EMAIL: _____

EMAIL of Contact Person for Solicitations: _____

IF COMPANY ADDRESS IS BRANCH, WHAT IS PRINCIPAL OFFICE ADDRESS: _____

_____

I. ORGANIZATION

Provide a statement detailing any financial interest in any other construction business, including any financial interest of 25% or more, which any officer, principal or key employee of the firm have in the Contractor or other construction business.

How many years has your organization been in business as a major Contractor: _____?

How many years has your organization been in business under its present business name: _____?

Under what other or former names has your organization operated: _____?

II. LICENSING

It is mandatory that the firm be legally qualified to do business in Connecticut. If the applicant is a joint venture, all joint venture partners must be qualified to do business in the State of Connecticut.

List jurisdictions in which your organization's partnership or trade name is filed.

_____

III. EXPERIENCE

List the categories of work that your organization normally performs with its own forces.

_____

List all labor organizations with which you have agreements; a negative response will not be reason for disqualification. _____

What percentage of work do you commonly perform with your own forces as opposed to work contracted separately (average) of the past 5 years?

_____% of work performed with own forces

_____% of work subcontracted

IV. CLAIMS & SUITS

Please indicate either yes or no to the following questions. You may attach a separate sheet to explain any yes answers. For any yes answer in response to the following questions please identify the offense, along with the location of the court or tribunal administering the matter, and the docket or proceeding number of the matter.

Has your firm, or any part of your firm, any owner, or partial owner of your firm, or any person in any way associated with or employed by your firm ever:

A. Failed to complete any work awarded to it? _____yes _____no
B. Received one or more criminal convictions related to the injury or death of any employee in the 5-year period preceding any bid which may be submitted? _____yes _____no
C. Within the past 5 years ever been barred, suspended, disqualified or otherwise precluded from bidding or offering a proposal on contracts by any municipality or any agency of the State of Connecticut, other states, or the Federal Government? _____yes _____no
D. Within the past 5 years been defaulted, terminated, or have had any liquidated damages or other contractual penalties for failure to timely or properly perform a contract assessed against you? _____yes _____no
E. Within the past 5 years been declared to be a non-responsible bidder or proposer on any public work project? _____yes _____no
F. Had a conviction or entry of a plea of guilty or nolo contendere for commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract or in the performance of such contract or subcontract? ____yes _____no
G. Had a conviction or entry of a plea of guilty or nolo contendere under state or federal law for embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or business honesty which affects responsibility as a contractor? _____yes _____no
H. Had a conviction or entry of a plea of guilty or nolo contendere under state or federal antitrust, collusion or conspiracy statutes arising out of the submission of bids or proposals?
   a. _____yes _____no
I. Been cited for noncompliance with contract provisions on a public project, of a character regarded by the awarding authority to be of such gravity as to indicate a lack of responsibility to perform as a state contractor, including deliberate failure, without good cause, to perform in accordance with specifications or time limits provided in a contract? _____yes _____no
J. On a public project or contract, been cited for any other cause the awarding authority determined to be so serious or compelling as to affect responsibility as a state contractor, including disqualification by another governmental entity, having caused financial loss to the state or having caused a serious delay or inability of state officials to carry out their duties on a past contract or contracts? _____yes _____no
K. Had any civil or criminal judgments, claims, arbitration proceedings or suits pending or outstanding against your organization or its officers? _____yes _____no

L. Have been on any list published by the Connecticut State Labor Department of persons or firms that have been found by the National Labor Relations Board and by a final decision rendered by a Federal Court to have been in violation of the National Labor Relations Act, 29USC 151 et. seq. or to have been found in contempt of court by a final decision of a Federal Court for failure to correct a violation of the National Labor Relations Act on three or more occasions involving different violations? _____yes _____no

M. Have had any instances within the previous five years in which you or any entity in which you have an interest, appeared on a list published by the State of Connecticut Labor Department of persons or firms who the Labor Department has found you to have disregarded or violated your obligations to employees and subcontractors on public works projects under Connecticut General Statutes 31-53 and 31-76c (i.e. payment of prevailing wages and overtime payments) or in which you have been barred from Federal government contracts in accordance with the provisions of the Davis Beacon Act, 40 U.S. C. 276a-2? _____ yes _____ no Describe in detail the circumstances of each violation, including but not limited to, the date and nature of the violation, the project on which the violation occurred, the source, if known, of any complaint giving rise to any Department of Labor investigation, the results of any such investigation, the penalty imposed or other action taken by the Department of Labor, any remedial action which was taken and any other resolution of any such complaint or violation. If in the event that there were such instances as described in your response, you are further required to provide with your Application a written statement of the policy and procedures you would implement on this project in an effort to insure that you and your subcontractors would remain in compliance with the statutory requirements for wage rates and payment of wages as noted above.

N. Have you ever been found by the Connecticut Department of Public Works, or another State Agency to be in violation of the subcontractor listing requirements or other provisions of Connecticut General Statutes Section 4b-95? _____ yes _____ no

O. Within the last five years been an officer or principal of another organization when it failed to complete a construction contract? _____ yes _____ no

Where applicable, list all litigation or arbitration proceedings including out of court settlements initiated by or against you within the past one (1) year including all pending cases. List the name of the project, the project location and the court or arbitration number and location. Briefly describe, use a separate sheet if necessary, the circumstances and disposition of each case. Specifically identify and provide details of each instance of claims or legal proceedings by or against a public or private Owner. Please note that generalized responses such as "litigation arising in the ordinary course of doing business" are not acceptable.

List any OSHA citations within the past three (3) years under present business name or any past business name. Have you been cited for three or more willful or serious violations of OSHA, or of any standard, order or regulations promulgated pursuant to such Act which violations were cited in accordance with the provisions of any State Occupational Safety and Health Act or the Occupational Safety and Health Act of 1970 and which were not abated within the time fixed by the citation; and which citation has not been set aside following appeal to the appropriate agency or court having jurisdiction? Additionally list any criminal convictions related to the injury or death of any employee.

V. REFERENCES & RELEVANT PROJECT EXPERIENCE

Applicant must provide a letter from the Connecticut Department of Revenue Services that your firm is currently in good standing as a corporation if applicable. Letter must be within the past three (3) months.

If your firm is a corporation, provide a recent letter/certificate from the Connecticut Secretary of State's Office that your firm is currently in good standing as a Connecticut corporation or if an out-of-state corporation, is authorized to transact business in the State of Connecticut. This letter/certificate must be issued within the past three (3) months.

Applicant must provide six (6) project examples similar nature, size, duration, scope and comparable dollar value to that of the subject project. See the Invitation for the requirements and the Attachment A included in the prequalification package.

The Applicant shall furnish a minimum of five (5) references from owners, architects, or engineers indicating that it has satisfactorily and timely completed work similar to the project being bid. If delays occurred, evidence explaining and exonerating the Applicant shall also be provided.

Describe the Quality Assurance/Quality Control/Code Compliance (QA/QC/CC) Program and Procedures which your firm typically uses on the type of project or projects for which this application for prequalification is submitted, in order to assure that the construction complies throughout with the requirements of the Contract Documents and complies with all applicable Building and Fire/Safety code requirements. Your response should include, but not be limited to a description of any and all inspection and testing procedures and activities, the various steps and procedures and methods used in the QA/QC/CC process, the nature and qualifications of the internal team and/or organizations and process are being followed from the planning, through construction, and through any applicable warranty or post construction period, the methods used to report on inspections and observations such as, Quality Control Reports, the methods to report to the Owner and to address and correct instances of contact and code non-compliance and construction and/or design defects and deficiencies, and whether your firm's QA/QC/CC program and procedures are in writing. Please submit this QA/QC/CC plan. This plan may be submitted in an electronic format to save resources. A total of six (6) copies must be submitted.

Attach six (6) copies of your Health and Safety Plan which demonstrates your managerial commitment to the development, maintaining and use of such program.

VI. FINANCING/FINANCIAL STATEMENT

Financial requirements for Contractor's submitting for pre-qualification with the University of Connecticut are as follows:

1. **Trade Contractor Projects < (Less Than) $10,000,000:** Most recent Audited Financial Statements are preferred, which must include the Independent Auditors Report; Balance Sheets; Income Statements; Cash Flow Statements; and Notes to the Financial Statements. These statements cannot be older than 15 months as of the date of the application. **In addition you must supply Interim financial statements including Balance Sheets; Income Statements; Cash Flow Statements; and Notes to the Interim Financial Statements, if any.** These statements must be provided for consideration and should be no older than 6 months as of the date of application. If Audited statements are not completed by the company, statements reviewed or compiled by an independent public accountant may be accepted for

review and evaluation (these should include balance sheets, income statements, cash flow statements and notes to the financial statements, if available—if not available see #2 below.)

2. **If Notes to the Financial Statements are not available or inadequate disclosure is provided:** When submitting a compilation, if notes are not available, you are required to disclose the following. This detailed documentation, including the amount and description, must be included in your Pre-Qualification Application at the time of submission to the Office of Capital Projects and Contract Administration.

    1. Litigation that may result in a material adjustment to the financial statements.
    2. Other liabilities or contingencies not recorded in the financial statement.
    3. Financial commitments not recorded in the financial statements
    4. Related parties including:

    - Activities between a parent and its subsidiaries.
    - Activities between affiliates of the same parent company.
    - Joint ventures.
    - Relationships between the company and its major owners, management, or their immediate families.
    - Company and employee trusts established & managed by the company, such as a profit sharing / pension plan.

    You must disclose the following with respect to these related parties:

    - Terms and settlements.
    - Nature and substance of relationship.
    - Description of the transactions, whether or not dollar amounts are involved.
    - Dollar figures for the applicable transactions.
    - Balances due from or owed to the related parties at year-end, including payment terms.
    - Nature of the control relationship between entities under common ownership or management control.

If the applicant is a Joint Venture, attach the required financial statement for each Joint Venture Partner.

Name and address of firm preparing attached financial statement, and date thereof:

_____

Is the attached financial statement for the identical organization named on page one?

_____ yes _____ no

- If not, explain the relationship and financial responsibility of the organization whose financial statement is provided (e.g., parent-subsidiary).parent-subsidiary.)

Will the organization whose financial statement is attached act as guarantor of the contract for construction? _____ yes _____ no If No, please explain.

Please have your Bonding Company provide a letter for your firm that states their address and provides the following information: the current rating the A.M. Best Company has assigned your bonding company; in dollars, the total bonding capacity as of the first working day of this month as well as the total bonding in dollars committed as of the first working day of this month; in dollars the maximum bonding permitted by your bonding company for a single project.
Attach a sample copy of your Connecticut Workers Compensation Insurance Certificate along with your National Council on Compensation Insurance (NCCI) Experience Modification Sheet and **state here** your Workers Compensation

Experience Modification: _____

If your Modification Rate exceeds 1.0, on an attached sheet, please provide the reason(s) why.

Attach a sample copy of your General Liability Certificate

Attach a sample copy of your Automobile Liability Certificate

VII. CONFLICT OF INTEREST

The Applicant shall disclose and identify to the University, with its Application, any relationships which may constitute a potential conflict of interest with Purchasing, Architectural & Engineering Services, Capital Project & Contract Administration or any other University organizations or departments; or any architect, engineer, consultant, or designer of the proposed projects for the purpose of determining whether a conflict of interest exists. All such disclosures require acceptance/approval action on the part of the University, which shall determine whether an impermissible conflict exists.

_____ Applicant has no conflict of interest

_____ Applicant has a potential conflict of interest and herewith has attached a full disclosure of said potential conflict of interest.

VIII. APPLICANT CONTRACT COMPLIANCE MONITORING

Nondiscrimination Policies and Procedures

1. Does your company have a written Affirmative Action/Equal Employment Opportunity statement posted on company bulletin boards? Yes___ No___	7. Do all of your company contracts and purchase orders contain non-discrimination statement as required by Sections 4a-60 & 4a-60a CGS? Yes___ No___
2. Does your company have the state-mandated sexual harassment prevention in the workplace policy posted on company bulletin boards? Yes___ No___	8. Does your company, upon request, provide reasonable accommodation to employees, or applicants for employment, who have physical or mental disability? Yes___ No___
3. Do you notify all recruitment sources in writing of your company's Affirmative Action/Equal Employment Opportunity employment policy? Yes___ No___	9. Does your company have a mandatory retirement age for all employees? Yes___ No___
4. Does your company advertisements contain a written statement that you are an Affirmative Action/Equal Opportunity Employer? Yes___ No___	10. If your company has 50 or more employees, have you provided at least two (2) hours of sexual harassment training to all of your supervisors? Yes___ No___ NA___
5. Do you notify the Ct. State Employment Service of all employment openings with your company? Yes___ No___	11. If your company has apprenticeship programs, do they meet the Affirmative Action/Equal Employment Opportunity requirements of the apprenticeship standards of the Ct. Dept. of Labor? Yes___ No___ NA___

6. Does your company have a collective bargaining agreement with workers? Yes___ No___ 6a. If yes, do the collective bargaining agreements contain non-discrimination clauses covering all workers? Yes___ No___ 6b. Have you notified each union in writing of your commitments under the nondiscrimination requirements of contracts with the state of Ct? Yes___ No___	12. Does your company have a written affirmative action Plan? If no, please explain. Yes ___ No____ 13. Is there a person in your company who is responsible for equal employment opportunity? Yes___ No___ If yes, give name and phone number. _____ _____

JOB CATEGORY	OVERALL TOTALS	WHITE (not of Hispanic origin)		BLACK (not of Hispanic origin)		HISPANIC		ASIAN or PACIFIC ISLANDER		AMERICAN INDIAN or ALASKAN NATIVE	
		Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Management											
Business & Financial Ops											
Computer Specialists											
Architecture/Engineering											
Office & Admin Support											
Bldg/ Grounds Cleaning/Maintenance											
Construction & Extraction											
Installation , Maintenance & Repair											
Material Moving Workers											
TOTALS ABOVE											
Total One Year Ago											
FORMAL ON THE JOB TRAINEES (ENTER FIGURES FOR THE SAME CATEGORIES AS ARE SHOWN ABOVE)											
Apprentices											
Trainees											

Applicant Employment Information

UNIVERSITY OF CONNECTICUT
MBE ON-CALL TRADE SITEWORK CONTRACTOR LESS THAN $100,000
PROJECT #OC.SITE2015.SBE

1. Which of the following recruitment sources are used by you? (check yes or no and report percent used)				2. Check (x) any of the below listed requirements that you use as a hiring qualification		3. Describe below any other practices or actions that you take which show that you hire, train, and promote employees without discrimination?
SOURCE	YES	NO	% of applicants provided by source			
State Employment Service					Work Experience	
Private Employment Agencies					Ability To Speak Or Write English	
Schools And Colleges					Written Tests	
Newspaper Advertisements					High School Diploma	
Walk Ins					College Degree	
Present Employees					Union Membership	
Labor Organizations					Personal Recommendations	
Minority/Community Organizations					Height Or Weight	
Others Please Identify					Car Ownership	
					Arrest Record	
					Wage Garnishments	

IX. CHECKLIST DOCUMENTATION REQUIRED

□ Copy of Health and Safety Plan

□ Copy of QA/QC/CC Program

□ Copy of your General Liability Certificate

□ Copy of your Automobile Liability Certificate

□ Signed Code of Conduct Form

□ By checking this box, this acknowledges that you have read, if applicable, any Clarifications that were issued on our website (www.cpca.uconn.edu)

□ Copy of your Connecticut Workers Compensation Insurance Certificate/National Council on Compensation Insurance (NCCI) Experience Modification Sheet

□ Company Financial Statement (See Page 11 and 12 for Financial Requirements): **2 Copies Only with Original**

□ List of Proposed Project Team with Resumes

□ List of Previous Relevant Experience (Minimum of **6** samples) **Attachment A**

□ References (Minimum of **5**):

□ Letter from Bonding Company listing Bonding capacity

□ A Current Prequalification Letter from the Connecticut Department of Administrative Services (DAS).

□ A Current Status Letter from the State of Connecticut Department of Revenue Services.

□ Attach Explanations for any "Claims or Suits" questions answered "Yes". Identify each response with the corresponding letter assigned to the question being explained.

X. SIGNATURE

The undersigned hereby applies and consents to the terms and conditions for the prequalification to bid. We have attempted to answer all questions in a full and complete manner to assure that our answers are not in any respect misleading either by expressing ourselves in a misleading or ambiguous manner or omitting information. We recognize that the University will be relying on the accuracy of the information and our responses in this questionnaire in deciding whether to permit us to bid and in awarding work to our Company. The completed and signed Prequalification Application and Qualification Form with all required hard documentation and checklists are attached hereto.

Dated at _____ this _____ day of Two Thousand and _____ (_____)

Name of Company:

_____

Completed by: _____

(Must be an Officer of the Company)

Title: _____

Signature: _____

Print: _____

_____being duly sworn deposes and says that the information provided herein is true and sufficiently complete so as to not be misleading.

Subscribed and sworn before me this _____ Day of _____, 20_____

Notary Public: _____ My Commission Expires: _____

CODE OF CONDUCT FOR UNIVERSITY OF CONNECTICUT VENDORS

The University of Connecticut ("UConn") has a longstanding commitment to the protection and advancement of socially responsible practices that reflect respect for fundamental human rights and the dignity of all people. UConn strives to promote basic human rights and appropriate labor standards for all people throughout its supply chain. Promoting these values in concrete practice is the central charge of the President's Committee on Corporate Social Responsibility (http://csr.uconn.edu/).

UConn is also committed to building a safe, healthy and sustainable environment through the conservation of natural resources, increasing its use of environmentally responsible products, materials and services (including renewable resources), and preventing pollution and minimizing waste through reduction, reuse and recycling. UConn is proactive about purchasing products that have these environmental attributes or meet recognized environmental standards, when practicable, and buying from entities committed to the support of campus sustainability goals. The University seeks to partner and contract with vendors that demonstrate a similar commitment to these values. Selected vendors may be required to provide a comprehensive summary report of their corporate social and environmental practices.

Principal Expectations

The principal expectations set forth below reflect the minimal standards UConn's vendors are required to meet.

Nondiscrimination. It is expected that vendors will not discriminate in hiring, employment, salary, benefits, advancement, discipline, termination or retirement on the basis of race, color, religion, gender, nationality, ethnicity, alienage, age, disability or marital status, and will comply with all federal nondiscrimination laws and state nondiscrimination laws[1], including Chapter 814c of the Connecticut General Statutes (Human Rights and Opportunities), as applicable, and further will provide equal employment opportunity irrespective of such characteristics, including complying, if applicable, with Federal Executive Order 1124b, and the Rehabilitation Act of 1973.

Freedom of Association and Collective Bargaining. It is expected that vendors will respect their employees' rights of free association and collective bargaining, including, if applicable, complying with the National Labor Relations Act, and, if applicable, Chapters 561 and 562 of the Connecticut General Statutes (Labor Relations Act, Labor Disputes) and Chapters 67 and 68 of the Connecticut General Statutes (State Personnel Act, Collective Bargaining for State Employees).

Labor Standard Regarding Wages, Hours, Leaves and Child Labor. It is expected that vendors will respect their employees' rights regarding minimum and prevailing wages, payment of wages, maximum hours and overtime, legally mandated family, child birth and medical leaves, and return to work thereafter, and limitations on child labor, including, if applicable, the

[1] Wherever this code refers to compliance with federal or state laws, that term includes compliance with any regulations duly promulgated pursuant to such laws.

rights set forth in the Federal Fair Labor Standards Act, the Federal Family and Medical Leave Act, the Federal Davis-Bacon Act and Chapters 557 and 558 of the Connecticut General Statutes (Employment Regulation, Wages).

Health and Safety. It is expected that vendors will provide safe and healthful working and training environments in order to prevent accidents and injury to health, including reproductive health, arising out of or related to or occurring during the course of the work vendors perform or resulting from the operation of vendors' facilities. Accordingly, it is expected that vendors and their subcontractors will perform work pursuant to UConn contracts in compliance with, as applicable, the Federal Occupational Safety and Health Act and Chapter 571 of the Connecticut General Statutes (Occupational Safety and Health Act).

Forced Labor. It is expected that vendors will not use or purchase supplies or materials that are produced using any illegal form of forced labor.

Harassment or Abuse. It is expected that vendors will treat all employees with dignity and respect, and that no employee will be subjected to any physical, sexual, psychological or verbal abuse or harassment. It is further expected that vendors will not use or tolerate the use of any form of corporal punishment.

Environmental Compliance. It is expected that vendors will comply with all applicable federal and state environmental laws and Executive Orders, including but not limited to Titles 22a and 25 of the Connecticut General Statutes (Environmental Protection and Water Resources protection) and Executive Order 14 (concerning safe cleaning products and services). UConn expects vendors will employ environmentally responsible practices in the provision of their products and services.

Preferential Standards

The preferential standards set forth below reflect UConn's core values. UConn will seek to uphold these values by considering them as relevant factors in selecting vendors.

Living Wages. UConn recognizes and affirms that reasonable living wages are vital to ensuring that the essential needs of employees and their families can be met, and that such needs include basic food, shelter, clothing, health care, education and transportation. UConn seeks to do business with vendors that provide living wages so as to meet these basic needs, and further recognizes that compensation may need to be periodically adjusted to ensure maintenance of such living wages. Vendors are encouraged to demonstrate that they pay such living wages.

International Human Rights. For UConn, respect for human rights is a core value. UConn seeks to do business with vendors who do not contribute to or benefit from systemic violations of recognized international human rights and labor standards, as exemplified by the Universal Declaration of Human Rights.

Foreign Law. UConn encourages vendors and vendors' suppliers operating under foreign law to comply with those foreign laws that address the subject matters of this code, provided such foreign laws are consistent with this code. Vendors and their suppliers operating under foreign law are similarly encouraged to comply with the provisions of this code to the extent they can do so without violating the foreign law(s) they operate under.

Environmental Sustainability. UConn will prefer products and services that conserve resources, save energy and use safer chemicals, such as recycled, recyclable, reusable, energy efficient, carbon-neutral, organic, biodegradable or plant-based, in addition to products that are durable and easily reparable, and that meet relevant certification standards above and beyond those required by law. While UConn is not legally bound to comply with Connecticut General Statutes 4a-67a through 4a-67h concerning environmental sustainability standards in purchasing, it will nevertheless consider vendors' ability to meet those standards in rendering its purchasing decisions. Vendors are encouraged to demonstrate their commitment to environmental sustainability.

Compliance Procedures

Anyone who believes a vendor doing business with UConn has not complied or is not complying with this code may report such concerns to UConn's Office of Audit, Compliance and Ethics (OACE) at 1-888-685-2637 or https://www.compliance-helpline.com.

OACE has the authority to investigate such matters, and if warranted, recommend remedial action to the UConn administration.

Please review the material listed and per the signature of the authorized Company Official, all Expectations, Standards, and Procedures listed above will be in compliance in regards to this Contract.

_____

Name of Company

_____

Signature of Authorized Company Official

_____

Date

ATTACHMENT A

Projects Best Portraying your Qualifications for this Application's Project

Project Information Sheet

1. Project Name: _____
2. Project Location: _____
3. Project Owner: _____
4. Contracted Role: □ CMA □ CMR □GC □ Subcontractor □ Trade Contractor □ Prime Contractor
5. Percentage of Self Performed Work: _____
6. Contracted Cost: _____
7. Final Cost: _____
8. If the Final Cost stated above is in excess of 5% of Contracted Cost, please provide and explanation: _____

   _____

   _____

   _____
9. Initial Contract/Notice to Proceed Start Date: _____
10. Initial Contracted Substantial Completion Date: _____
11. Final Substantial Completion Date: _____
12. If the Final Substantial Completion Date stated above is in excess of thirty (30) days of the Initial Contracted Substantial Completion Date please provide a detailed explanation:

    _____

    _____

    _____

    _____
13. Owner Reference: (Firm/Agency Name): _____
14. Primary Contact Name and Phone Number: _____
15. Primary Architect Reference: (Firm Name): _____
16. Primary Contact Name and Phone Number: _____
17. Primary Engineer Reference (Firm Name): _____
18. Primary Contact Name and Phone Number: _____

19. Major Supplier Reference: _____

20. Name, Address, Telephone, Contact Person, Estimated Annual Expenditures:

    _____

    _____

21. Describe the project and relevance to the UCONN project including the items listed in Scope of Work for which this application is submitted. Photos and additional information can be attached if necessary.

    _____

    _____

    _____

    _____

    _____

    _____

    _____

    _____

22. List the key personnel in your firm who were assigned to the project who had direct responsibility for the day-to-day management for this project and state whether or not each of these people are still employed by your firm.

    Project Manager: _____

    Assistant Engineer/Project Manager: _____

    Superintendent: _____

    Safety Engineer: _____

    LEED: _____

    Project Executive: _____

23. Were you required to furnish a Labor and Material Payment Bond for this project?

    Yes _____ No _____ If No, what form of security was provided? _____

    Were you required to furnish a Performance Bond for this project?

    Yes _____ No _____ If No, what form of security was provided? _____