

CITY AND COUNTY OF DENVER
DEPARTMENTS OF AVIATION AND PUBLIC WORKS
CONTRACTOR'S PREQUALIFICATION APPLICATION

Name of Applicant

Number and Street

City

State

Zip Code

Telephone

Website Address

Contact person for all matters relating to this application:

Name

Title

Email Address

Telephone

PART A: IDENTITY OF THE APPLICANT

1. Check the applicant's form of business entity:

Corporation

General Partnership

Sole Proprietorship

Limited Liability Company

Limited Partnership

Limited Liability Partnership

Date and State of incorporation or organization

2. List the name, telephone number and address of the applicant's registered agent in the State of Colorado.

Name

Telephone

Number and Street

City

State

Zip Code

3. List all states in which the applicant is authorized to do business (abbreviate when possible):

4. List all names under which the applicant previously did business:

5. Number of years in which the applicant has been in business under its present name: _____

6. Number of years in which the applicant has been in business as a prime contractor for the category of work for which this application is submitted: _____

7. Provide the name and address of the applicant's parent company, all subsidiaries and affiliates:

PART B: THE APPLICANT'S EXPERIENCE AND FINANCIAL CAPACITY

1. Select the category/categories for which this prequalification application is submitted (see the Rules for Prequalification of Construction Contractors for full category descriptions)

1. CIVIL

- 1A. Heavy Civil
- 1B. Excavation and Grading

1C. LANDSCAPE

- 1C(1). Landscape Improvements

1D. UTILITIES (OTHER THAN SEWER)

- 1D(1). Traffic Signals, Lighting and ITS
- 1D(2). Telecommunications

1E. SEWER

- 1E(1). Sewer Pump Stations and Force Mains
- 1E(2). Sewer Rehabilitation
- 1E(3). Sewer Open Channel and Pond
- 1E(4). Piped Sewer

1F. ROADWAY AND PAVING

- 1F(1). Asphalt
- 1F(2). Concrete Roadway Paving
- 1F(3). Concrete Sidewalk, Curb, Gutter and ADA Ramps
- 1F(4). Asphalt Pavement Rehabilitation
- 1F(5). Concrete Pavement Rehabilitation

1G. STRUCTURES

- 1G(1). Major Bridge Work
- 1G(2). Minor Bridge Work

2. BUILDINGS

- 2A. General Building - Unoccupied Buildings
- 2B. General Building - Occupied Buildings
- 2C. Active High Security Facility Renovation
- 2D. Building Demolition
- 2E. Electrical
- 2F. Mechanical
- 2G. Roofing
- 2H. Historic Facilities
- 2I. Parking Structures - Occupied
- 2J. Structural Rehabilitation - Occupied

3. AIRPORT

- 3A. Millwright
- 3B. Baggage Handling System (BHS)
- 3C. Concrete Airfield Paving
- 3D. Airfield Lighting

2. Explain the type of work normally self-performed by the applicant:

3. List the name of applicant's current bonding company and that of each agent for the past five years:

4. Attach a current letter from the applicant's surety company stating, in US dollars, the **individual project maximum bonding capacity** and the **aggregate maximum bonding capacity**.

5. List or attach sheet with bank reference(s).

6. During the past five years, have demands been placed on a bid bond, payment bond or performance bond of the applicant?

Yes No

If the answer is yes, attach a statement listing the date, location, project and dollar amount of each demand, describing the circumstances.

7. Within the past five years, has the applicant failed to complete work under any contract?

Yes No

If the answer is yes, attach a statement identifying the contract and explaining when, where and why the work was not completed. This includes contracts terminated for convenience by the owner.

8. Have you had liquidated damages assessed?

Yes No

If the answer is yes, attach a statement identifying the contract and explaining when, where and why liquidated damages were assessed.

9. Within the past five years, excluding this application, has the applicant applied for prequalification with the City and County of Denver?

Yes No

10. Within the past five years, has the applicant been denied prequalification, or had prequalification suspended or revoked, by any governmental entity, including but not limited to the City and County of Denver?

Yes No

If the answer is yes, attach a statement providing the details and an explanation of the circumstances.

11. Attach the following items:

- (a) Financial Statement

\$3,000,000.00 financial limit or less, submit a **Reviewed Financial Statement**.

\$6,000,000.00 financial limit or above, submit a **Certified Audited Financial Statement**.

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

Yes No

If the answer is no,

- 1) Explain, in a separate statement, the relationship to the applicant of the organization whose financial statement is provided (such as parent, subsidiary, partner, etc.);
- 2) Provide a written statement to the City certifying that an audited financial statement does not exist that meets Rule 6.06 showing only the financial condition of applicant; and
- 3) Provide a signed Letter of Guarantee from this organization confirming that it will act as guarantor of the applicant's performance of City construction contracts (see instructions for further detail).

- (b) Resumes of applicant's key personnel who will have supervisory responsibility for the performance of applicant's construction contracts, including senior management personnel.
- (c) A table showing the number of professional staff assigned for accounting, construction management, estimating, engineering construction quality control and safety.
- (d) A list of the applicant's **construction projects in progress**.
- (e) A list of the **largest completed construction projects** (no more than 10) undertaken by the applicant during the past five years.

Note: Each category being requested must be clearly indicated next to the project examples in the "Category Number" column. A minimum of three projects must be indicated for each category being requested, at, near or above the \$1,000,000.00 monetary level required for prequalification.

- (f) A letter from the applicant's insurance agent, on their letterhead, or a photocopy of the applicant's Experience Modification Rate Factors (EMRF) from the National Council on Compensation Insurance (NCCI; www.ncci.com), or a similar regulatory body for non-NCCI states, **for the current year and each of the past four years**.

PART C: CITATIONS AND OTHER LEGAL PROCEEDINGS

1. During the past five years, have any of the following been **convicted of crimes related to bid, labor, taxes, wages, safety or the performance of construction work**? Check all that apply.

- | | | |
|-------------------------------------|--|------------------------------------|
| Applicant | Applicant's Officer/Director | Applicant's Employee |
| Applicant's Subsidiary or Affiliate | Subsidiary or Affiliate's Officer/Director | Subsidiary or Affiliate's Employee |

If any of the above boxes are checked, attached a statement which lists the date, location, court or administrative agency and the name and status of the person or organization to which the answer applies.

2. During the past five years, have any of the following been **debarred, suspended or revoked from entering into contracts with any federal, state or local government entity**? Check all that apply.

- | | | |
|----------------------|------------------------------|------------------------|
| Applicant | Division of Applicant | Affiliate of Applicant |
| Applicant's Employee | Applicant's Officer/Director | |

If any of the above boxes are checked, attached a statement identifying the governmental entity, the effective dates of the action taken, the reasons therefor and the current status.

3. Litigation: Disclosure of court, arbitration or administrative cases during the past five years where you are or were a party, as described in the following table. Check the applicable box below. If the answer is "Yes", attach a statement with the required information for each case.

Yes No

Cases which must be disclosed:	Information required for each case disclosed:
1) Cases in which you were alleged to have violated any local, state or federal statute, ordinance, rule or regulation . For example, but not limited to: OSHA, violation citations, citations for wage law violations and citations for environmental violations. 2) Cases in which your bid was involved . 3) Cases with an amount in the controversy over \$75,000 in which your performance of any public or private construction work was involved, including but not limited to claims that you breached a contract or failed to pay subcontractors or suppliers.	1) Date commenced. 2) Docket or citation number. 3) Name of the court, administrative or arbitration forum. 4) Names of the parties. 5) A statement of the subject matter and dollar amount in controversy. 6) The outcome, including dollar amount of settlement. If not closed, the current status.

PART D: SIGNATURE

The undersigned certifies that the foregoing answers and statements on pages 1 - 4, and the attachments to this application, are true and correct and include all material information necessary to identify and explain the experience, operations and financial condition of the applicant.

This application is submitted under the Rules for Prequalification of Construction Contractors who wish to bid on City and County of Denver contracts whose dollar value is over \$1,000,000. Any material misrepresentation or omission will be grounds for terminating any contract and/or prequalification status awarded to the applicant, for initiating action as warranted under federal or state law, and for causing the applicant to be disqualified from participating in future contracts of the City and County of Denver.

Signature

Title

Date

Printed Name

Telephone

Submittal Process: It is preferred that this application and attachments be submitted electronically in one continuous document to pw.prequal@denvergov.org. Because of the size of these documents, you may scan and email the financial statement separately.

INSTRUCTIONS FOR COMPLETING THE CONTRACTOR'S PREQUALIFICATION APPLICATION

1. If a contractor wants to bid a City construction project and is not prequalified as required by the bid documents, a complete Contractor's Prequalification Application must be received by the Board's office, with all required attachments, not later than the deadline stated in the bid documents in order to request prequalification to bid on that project. This deadline is usually **ten (10) calendar days** prior to bid opening; however, it is important to review each set of bid documents to determine the specific requirement for that project. **The ten (10) day deadline also covers requests for project specific permission.** The application or project specific permission request must be complete no later than the bid date of the City construction project to be valid and have action taken by the Prequalification Board.
2. If there is not sufficient space on the application to answer a question, attach a **continuation sheet which clearly identifies the question number for which the information is provided**. This should not be done for every question. Note in the appropriate answer space on the application that information is being provided by attachment. Clearly label the attachments in an indexed fashion and make sure your **firm's name is on all pages**.
3. If a **Letter of Guaranty** is required (see Section B.11(a)), it must be issued by the **parent company on their letterhead**, duly authorized and signed by an official of the parent company, and must state as follows:

[Applicant] a [State of incorporation or formation] [corporation, LLC, etc.], is a wholly owned subsidiary of [Guarantor] a [state of incorporation or formation] [corporation, LLC, etc.]. This is to confirm that if [Applicant] is prequalified with the City and County of Denver, and if [Applicant] is awarded a contract pursuant to such prequalification, [Guarantor] will assure the performance of [Applicant's] obligations under such contract and will indemnify and hold the City and County of Denver harmless from and against any liability and expense which may be incurred by the City and County of Denver in connection with the failure of [Applicant] to perform such contract fully.

This is to confirm that [Guarantor] is prepared to support [Applicant] with all the necessary financing, expertise and equipment required to fulfill any commitment undertaken by [Applicant] with the City and County of Denver.

Note: The Letter of Guaranty must also include a statement that the Applicant does not have its own certified financial statement. See Part B. 11 (a)(2) of the application.

4. Please review the application carefully for completeness and be sure to include the following:
 - All necessary continuation sheets for any question or section.
 - The items required by Section B.11 of the application.
 - All statements and items required for Part C, **indicating your company name on each sheet.**
5. For electronic submittal of the application and attachments send to: pw.prequal@denvergov.org.
6. You may mail your entire application to: City and County of Denver, Department of Public Works, Prequalification – Section 614, 201 W. Colfax Avenue, Denver, CO 80202.
7. For questions related to prequalification only, please call (720) 865-2539.

**PROCEDURES WITH RESPECT TO CONFIDENTIAL INFORMATION
SUBMITTED IN APPLICATIONS FOR PREQUALIFICATION**

The information submitted in prequalification applications – including financial statements – is used by the City to evaluate the capacity of the applicants to perform work on City contracts. Although basic information about prequalified contractors is public record, the City does not publish or disseminate the detailed company information, such as bonding capacity and financial statements, provided by applicants.

The City is subject to the Colorado Open Records Act (“CORA”), which requires the City to allow inspection of its records upon request by any person. However, CORA prohibits the City from allowing inspection of “confidential commercial or financial information” provided by others to the City.

If the City receives a request to inspect and copy a prequalification application file under CORA, it is our practice to immediately notify each company whose application is the subject of the request. We ask the Company to tell us which information, if any, in the application the company considers “confidential commercial or financial information” as defined in the law. The City will withhold from examination the portions of the file designated as confidential by the company.

If the City is sued for withholding that information, we will join the company as a party in the suit. The company will have to prove to the court that the information is confidential under the law. Most of the facts necessary to prove the confidentiality of the information under the law are within the company's knowledge, and not the City's.

APPLICATION CHECKLIST

Per Rule 6.04, *"Neither the Board or the Manager is required to consider or take action on an incomplete application. An application is not complete unless all required information is provided, including all attachments, enclosures and continuation pages, and all parts and inquiries of the Board have been answered."* Please double check that your application contains each of the following:

Letter from surety bond company

Resumes of key personnel

Table showing the number of professional staff

List of projects you failed to complete (if applicable)

List of projects currently in progress

List of the ten (10) largest projects completed in the last five years

The category or categories for which you are requesting prequalification

Letter from your insurance agent or photo copy of your EMRF for the current year and each of the past four years

Disclosure of court, arbitration or administrative cases during the past five years

**CITY AND COUNTY OF DENVER
DEPARTMENTS OF AVIATION AND PUBLIC WORKS**

Largest Completed Contracts

(no more than 10 per category)

Company Name: _____

Category Number	Initial Contract \$ Amount	Final Contract \$ Amount	Category \$ Value	Self-Performed \$ Value	Project Name	Owner's Name, Address, Contact Name & Phone No.	Project Description (must include description of work for each category)	Completion Date	Liquidated Damages

Category Number: See Section 3.01 of the Rules for Prequalification of Construction Contractors
 Category \$ Value: The value of work done in a specific category for the project (specify category)
 Self-Performed \$ Value: The value of the specific category of work that was self-performed (specify category)