

CITY AND COUNTY OF DENVER
DEPARTMENTS OF AVIATION AND PUBLIC WORKS
PROJECT SPECIFIC PERMISSION 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

Each request for project specific permission must be received by the Board's office no later than ten calendar days prior to bid opening, or within the time specified by the contract documents to submit prequalification applications.

PART A: PROJECT SPECIFIC PERMISSION REQUEST

1. List the project name and number for which you are requesting special permission:

Project Name

Project Number

2. List the category and financial level required for the project:

Category/Categories

Financial Level

3. List your current prequalification financial level in the above category (if more than one category is listed in the bid documents, include both categories and financial levels):

Category

Financial Level

Expiration Date

Category

Financial Level

Expiration Date

PART B: THE APPLICANT'S EXPERIENCE AND FINANCIAL CAPACITY

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

2. 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**.

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

4. 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) A list of the **three largest completed construction projects** undertaken by the applicant in the category requested in Part A Question 2.
- (c) 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. 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: |
|--|--|
| <ol style="list-style-type: none"> 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. | <ol style="list-style-type: none"> 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 - 2, 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

List of the three (3) largest projects completed in category required

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

