

Pre-Qualification Questionnaire Package
Yarmouth School Department
Construction: Concessions and Toilet Facilities
Building
Yarmouth, Maine

A. PROJECT INFORMATION AND INSTRUCTIONS

The Yarmouth School Department (Owner) is soliciting the interest of General Contractors for this project. A copy of the Notice is attached. Responses to these criteria shall be returned to the address listed in the Notice. The deadline for returning the completed questionnaire to the Owner is Thursday, March 2, 2023 at 2 p.m. Interested General Contractors shall submit **four (4) copies** of the completed questionnaire and prequalification submission in a large envelope marked with the company's identification and the title "Pre-Qualifications – Yarmouth School Department Concessions and Toilet Facilities Building" or submit electronically to Andrew Dolloff, Superintendent of Schools, andrew_dolloff@yarmouthschools.org which a confirmation receipt will be sent.

General Contractors shall provide comprehensive information for each item below on separate pieces of paper; do not submit answers on these pages. Label each section clearly: "C. INFORMATION ABOUT YOUR ORGANIZATION," 1 through 13; "D. PROJECT EXPERIENCE" 1 through 5, "E. TIMELY COMPLETION," 1 and 2; "F. SUFFICIENT RESOURCES," 1 through 5; "G. MISCONDUCT," 1 through 5, "H. SAFETY RECORD," 1 and 2, and "I. TERMINATION, SUSPENSION, DEBARMENT, DEFAULT" 1 through 5. Complete the questionnaire by attaching an executed "Signature" sheet, using the last page of this document. An incomplete questionnaire, or one found to be materially misrepresented, may be the basis for disqualification.

B. PRE-QUALIFICATION PROCEDURE

1. The Owner and Harriman (Consultant) will advertise for interested General Contractors, document receipt of the submitted material, and review the completed questionnaire and prequalification submission. If the opinion of the Owner and its Consultant is that a given submittal does not meet the requirements, the Owner may consider the application as incomplete, "nonresponsive" or "not qualified".
2. The Owner in consultation with its Consultant will determine in its sole judgment the sufficiency of a contractor's submission and whether that contractor has demonstrated the qualifications for the project. The Owner will notify the contractor if its submission is responsive for review of the material submitted by the Owner and its Consultant, and for notification that a submittal is incomplete, nonresponsive, or if in the Owners judgment the contractor's submission does not sufficient demonstrate the qualifications required for the project.
3. The General Contractors who meet the pre-qualification requirements may be invited to submit a proposal.

C. INFORMATION ABOUT YOUR ORGANIZATION

1. Name and address of your organization.
2. Number of years your organization has been in business as a General Contractor.
3. Number of years your organization has been in business under its present name.
 - 3.1 If applicable, indicate other or former names under which your organization has operated; and
 - 3.2 If a joint venture, indicate the entities comprising the organization and answer all questions for each entity.
4. If your organization is a corporation, (including LLC) answer the following:
 - 4.1 Date of incorporation;
 - 4.2 State in which incorporated;
 - 4.3 President's name;
 - 4.4 Vice-president's name(s);
 - 4.5 Secretary's name;
 - 4.6 Treasurer's name; and
 - 4.7 Whether the corporation is in good standing with the State of Maine. Attach authority to do business in Maine.
5. If your organization is a partnership, answer the following:
 - 5.1 Date of organization;
 - 5.2 Type of partnership;
 - 5.3 Name(s) of general partners; and
 - 5.4 Whether the partnership is in good standing with the State of Maine. Attach authority to do business in Maine.
6. If your organization is individually owned, answer the following:
 - 6.1 Date of organization; and
 - 6.2 Name of owner.
7. If the form of your organization is other than those listed above, describe it fully and name the principal.
8. List annual dollar workload for each of the last three (3) years:

| | | | | | | |
|------|-----------|-------|-------|----|-------|-------|
| 2020 | #projects | _____ | total | \$ | _____ | total |
| 2021 | #projects | _____ | total | \$ | _____ | total |
| 2022 | #projects | _____ | total | \$ | _____ | total |
9. List projects over \$500,000 for which your organization is currently committed including:
 - 9.1 name & location of each project;
 - 9.2 time frame to complete each project; and
 - 9.3 \$ volume of each project.

10. Attach letter from surety company or its agent licensed to do business in Maine verifying proposer's capability of providing adequate performance and payment bonds for this project.
11. Indicate whether your organization has been a party to a claim with an originally claimed amount in excess of \$50,000, using the period of the last five years. List by case name and case number all pending litigation in which proposer is involved as a party or proposer's officers are involved as parties in their official capacity. Include cases pending in any Federal or State jurisdiction, court, commission, regulatory body or other authority having the power to determine the rights of parties appearing before it. Also list all arbitrations proposer is involved in as a party and include the name, location and name & address of the arbitrator(s) for each listing.
 - 11.1 Whether the claim was brought by or against the General Contractor.
 - 11.2 The nature of the dispute underlying the claim.
 - 11.3 Originally claimed amounts.
 - 11.4 The resolution of such claims.
 - 11.5 The name, address and phone number of the adverse party.
 - 11.6 A summary of your position on the matter.
12. Indicate whether your organization has a quality control program. Provide information regarding:
 - 12.1 Month and year first implemented.
 - 12.2 Method of review of program.

D. PROJECT EXPERIENCE

1. Provide a summary of General Contractor experience with similar projects particularly in reference to project type, size, and schedule.
2. Provide a list of most recently completed projects including contract amount, project type and location, month and year completed, and client name, address, contact person, and phone number.
3. Please attach explanation for any project completion date greater than 30 days behind the original schedule as adjusted by change order.
4. For the projects listed above, attach project owner references including the name, address, telephone and fax numbers, and e-mail address of the project owner representative.
5. Key Personnel.
 - 5.1 List of key personnel which will be exclusively assigned to the project, (e.g., project manager, field superintendent, etc.).

E. TIMELY COMPLETION

1. List the projects that your organization, as the Contractor, *did not complete* on or before the scheduled completion date, during the period of the last five years. List for *each* project:
 - 1.1 Project name and owner;
 - 1.2 Location of project;
 - 1.3 Type of project;
 - 1.4 Dollar value of project;
 - 1.5 Start date of project;
 - 1.6 Original contract completion date;
 - 1.7 Revised contract completion date per change order;
 - 1.8 Substantial Completion date;
 - 1.9 Substantial Completion dollar value of project;
 - 1.10 Names and telephone numbers of owner and owner's representative;
 - 1.11 Narrative explaining in detail the nature of the circumstances;
 - 1.12 Narrative explaining in detail the hardship created for the owner as a result of late completion date;
 - 1.13 Indication of whether liquidated damages were assessed and details related to the matter.

2. List the projects that your organization, as the Contractor, *completed* on or before the scheduled completion date, during the period of the last three years. List for *each* project:
 - 2.1 Project name and owner;
 - 2.2 Location of project;
 - 2.3 Type of project;
 - 2.4 Dollar value of project;
 - 2.5 Start date of project;
 - 2.6 Original contract completion date;
 - 2.7 Final completion date;
 - 2.8 Final completion dollar value of project;
 - 2.9 Names and telephone numbers of owner and owner's representative;
 - 2.10 Narrative explaining in detail the nature of the circumstances;
 - 2.11 Narrative explaining in detail the benefit created for the owner as a result of early completion date;
 - 2.12 Indication of whether a bonus was awarded and details related to the matter.

F. SUFFICIENT RESOURCES

1. For your organization's bonding agency, provide:
 - 1.1 Name, address and telephone number;
 - 1.2 Name of contact person;
 - 1.3 Bondable limits, per project and aggregate;
 - 1.4 Dollar value of current unfinished work; and
 - 1.5 Bonding agency's statement of opinion of financial ability to complete the proposed project.

2. For your organization's bonding underwriter company, provide:
 - 2.1 Name, address and telephone number; and
 - 2.2 Name of contact person

3. Indicate if this will be a joint venture with another organization. If “yes,” provide separate questionnaires for each member of the joint venture.
4. Indicate whether your organization, during the period of the last five years, has sought protection under the bankruptcy laws. If so, provide detailed information regarding the matter.
5. Identify any damage claims made against your organization which are still outstanding, including any litigation or arbitration proceedings which are still pending. For each one provide information regarding:
 - 5.1 Amount of the claim;
 - 5.2 Nature of the dispute underlying the claim;
 - 5.3 Status of the claim, litigation or arbitration;
 - 5.4 Name, address and telephone number of the adverse party; and
 - 5.5 Summary of your position on the matter.

G.MISCONDUCT

1. Indicate whether your organization, or any of its’ officers, owners or key personnel, during the period of the last five years, has been convicted of, or plead or consented to a violation of a bid crime, including bid collusion or any other crime involving fraud or knowing misrepresentation. If none, indicate “none.” If so, provide detailed information for each occurrence regarding:
 - 1.1 Description of the violation;
 - 1.2 Date and jurisdiction where the judgment of conviction was entered; and
 - 1.3 Summary of your position on the matter.
2. Indicate whether your organization, during the period of the last five years, has been disbarred from bidding, or has agreed to refrain from bidding on a contract. If none, indicate “none.” If so, provide detailed information for each occurrence regarding:
 - 2.1 Date and description of project; and
 - 2.2 Summary of your position on the matter.
3. List all citations or other notices of violation issued to your organization, during the period of the last five years, for labor law violations. If none, indicate “none.” If applicable, provide detailed information for each occurrence regarding:
 - 3.1 Nature of the violation for which your organization was cited;
 - 3.2 Summary of your position on the matter; and
 - 3.3 Official resolution of violation.
4. Indicate whether your organization, or any of its’ officers, owners or key personnel, during the period of the last five years, has been found to be in violation of any federal, state or local environmental law or regulation in which the authority ruled that the violator intentionally or knowingly committed the violation, or failed to comply after having been notified of the violation. If none, indicate “none.” If so, provide detailed information for each occurrence regarding:
 - 4.1 Nature of the violation for which your organization was cited;
 - 4.2 Summary of your position on the matter; and
 - 4.3 Official resolution of violation.

5. Indicate whether your organization, or any of its' officers, owners or key personnel, during the period of the last five years, has been convicted of any other civil or criminal violations relating to construction projects not addressed above. If none, indicate "none." If so, provide detailed information for each occurrence regarding:
 - 5.1 Description of the violation;
 - 5.2 Date and jurisdiction where the judgment of conviction was entered; and
 - 5.3 Summary of your position on the matter.

H. SAFETY RECORD

1. Indicate whether your organization has a safety program. If "yes," provide information regarding:
 - 1.1 Month and year first implemented;
 - 1.2 Method of review of program; and
 - 1.3 Whether regular work site safety meetings are held and how frequently.
2. List all citations issued to your organization, during the period of the last five years, for workplace safety law violations. If none, indicate "none." If applicable, provide detailed information for each occurrence regarding:
 - 2.1 Nature of the violation for which your organization was cited;
 - 2.2 Summary of your position on the matter; and
 - 2.3 Official resolution of violation.

I. TERMINATION, SUSPENSION, DEBARMENT, DEFAULT

1. Within last five (5) years, has any contract for construction services of proposer's been considered in default, suspended or terminated for cause? If so, please attach an explanation of the matter including the name and location of the project, the name and address of the owner's representative, and all pertinent details of the default, suspension or termination.
2. Within the last five (5) years, has proposer's contract or any portion of the work connected to the contract been completed by the Owner or proposer's surety? If so, please attach an explanation providing the name and location of the project, the name and address of the owner's representative, and all pertinent details of the matter.
3. Within the last five (5) years, has proposer been debarred or suspended for any reason by any federal, state or local government procurement agency or refrained from bidding on a public project due to an agreement with such procurement agency? If so, please attach a full explanation.
4. Within the last five (5) years, has proposer been named in any action, administrative proceeding, or arbitration in which it was alleged that the proposer failed to comply with any state or federal statute requiring the prompt payment of subcontractors? If so, please attach a full explanation.
5. Within the last ten (10) years, has the proposer or any predecessor or related entities, or any officers, shareholders/partners or key personnel of the proposer ever been convicted of or pleaded guilty to any crime (a) related to the bid process for contracts on public or private projects or (b) involving fraud or misrepresentation? If so, please attach a full explanation.

Please include the following signature page with your Qualifications submission.

Signature

A. THE UNDERSIGNED HEREBY CERTIFIES THAT THE RESPONSES OF _____ ARE CORRECT AND TRUTHFUL TO THE BEST OF MY KNOWLEDGE AND FOR THOSE RESPONSES GIVEN WHICH ARE BASED ON INFORMATION AND BELIEF, THOSE RESPONSES ARE TRUE AND CORRECT BASED ON MY PRESENT BELIEF AND INFORMATION.

B. Dated this _____ day of _____ of the year _____

Name of organization: _____

By: _____

Name and title: _____

C. Sworn before me this _____ day of _____ of the year _____

Notary Public: _____

My commission expires: _____

STATE OF _____
COUNTY OF _____

I, _____, a Notary Public in and for the County and State aforesaid, do hereby certify that _____ personally came before me this day and acknowledged that he is _____ of _____ and by that authority duly given and as an act of _____, the foregoing instrument was signed by _____, its _____, attested by him/herself as Secretary, and sealed with the common seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal this the _____ day of _____, 2022.

Notary Public: _____

My commission expires: _____