



REQUEST FOR QUALIFICATIONS (RFQ)

**PRE-QUALIFICATION OF VENDORS FOR PRICE BASED
SOLICITATIONS FOR CONSTRUCTION PROJECTS**

**THE SCHOOL DISTRICT OF PALM BEACH COUNTY, FLORIDA
Construction Purchasing Department
3661 Interstate Park Road North, Room 209
Riviera Beach, FL 33404
Phone: (561) 882-1949**

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FOR CONSTRUCTION PROJECTS**

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**SCHOOL DISTRICT OF PALM BEACH COUNTY
PRE-QUALIFICATION OF VENDORS FOR PRICED-BASED SOLICITATIONS FOR
CONSTRUCTION PROJECTS**

The School District of Palm Beach County ("District") invites qualified Contractors with current licenses in the State of Florida to register for the District's Vendor Pre-qualification Program. This Program applies only to price-based solicitations (Invitations to Bid) for alterations, renovations, modifications, and minor, new construction projects with an estimated budget of \$200,000 or more. This process does not apply to Requests for Proposals (RFPs) for Architectural/Engineering Services, Design/Build Services or Construction Manager at Risk Services. Bids awarded by the District or released by the District prior to the award of this request shall proceed for the term of the bid.

The Pre-Qualification Program is an ongoing program of the School District. Once a firm has been qualified and approved by the District, it may participate and compete with other qualified vendors in Invitations to Bid exceeding \$200,000 for a one year period commencing from date of approval. Pre-qualification Certifications are valid for one calendar year and may be renewed at each anniversary date. To ensure that the review and approval process is performed continuously and timely, cut-off dates are established. Those applications received after each established cut-off date will be added to a subsequent review and approval procedure.

Firms that have already submitted applications need not re-apply. Applications previously submitted have been processed and are under review for approval by the School Board. This advertisement is applicable to only those firms who have not submitted an application. Those firms who have not received the District's Pre-Qualification Certification may participate in those proposals wherein the total construction amount is less than \$200,000.

This Request for Qualifications is in accordance with Section 235.31 Florida Statutes, State Requirements for Educational Facilities (SREF), 1999, Chapter 4 (8), School Board of Palm Beach Policy #7.08 and applicable rules, regulations and procedures.

Requests for "Request for Qualifications" (RFQ) packets, which include forms for prospective companies to complete, and any questions regarding the process shall be directed to the Construction Purchasing Department, at the address below.

**The School District of Palm Beach County, Florida
Construction Purchasing Department
3661 Interstate Park Road North, Room 209
Riviera Beach, FL 33404
Phone: (561) 882-1949
Katrina.Todd@palmbeach.k12.fl.us**

Interested firms should submit their Applications/Statement of Qualifications as soon as possible. Packets submitted will be scheduled for approval within sixty (60) days of receipt of the application by the School District. Applications shall be received in the Construction Purchasing Department via e-mail. Your Proposal will include the Statement of Qualification packet consisting of the application form and attached documents as outlined in the "Request of Qualifications" packet.

All Applications/Statements of Qualification will be reviewed by a Committee comprised of District employees duly assigned to evaluate and recommend those applications from Contractors to certify and pre-qualify them for to bid or propose on future projects which may be approved during the Certification Period. Pre-Qualification periods will be for a one (1) year period commencing from the date of School Board approval, and may be renewed for one (1) year periods after the first anniversary of Board approval of the qualifications. Companies that meet all of the criteria above will be Pre-qualified.

SCHOOL DISTRICT OF PALM BEACH COUNTY

INSTRUCTIONS FOR SUBMITTAL OF PRE-QUALIFICATION APPLICATION

1.0 SCOPE OF WORK/ INTRODUCTION

1.1 Scope of Work. The School District of Palm Beach County (District) invites applications from qualified Contractors from all of the disciplines listed below with current licenses in the State of Florida to register for the District's Vendor Pre-Qualification Program. The Program will apply only to price-based solicitations (Invitations to Bid) for alterations, renovations, modifications and minor new construction projects with an estimated budget of \$200,000 or more. This process does not apply to Request for Proposals for Architectural/Design Services, Engineering and related services, Design Build Services or Construction Manager at Risk Services.

This Request for Qualifications is in accordance with Section 235.31 Florida Statutes, State Requirements for Educational Facilities (SREF), 1999, Chapter 4(8), School Board of Palm Beach County Policy #7.08, and applicable rules, regulations, and procedures.

1.2 Introduction - Vendor Pre-Qualification. The Pre-Qualification of Construction Vendors is an ongoing program administered by the District to ensure that only qualified vendors compete for, and receive awards for price-based solicitations (Invitations to Bid), when the project amount is \$200,000 or more. The application packet requests information from vendors in all of the general construction disciplines to ensure they have the capability and capacity to respond to the District's Construction Bid Requests in a responsive and responsible manner, and to ensure the specified work is performed on time, and in the highest quality possible. Once a vendor has been certified as a Pre-Qualified Vendor by the District, the certification is valid for one year, and may be renewed each anniversary date. During that period, only pre-qualified vendors may participate in applicable bid solicitations as let out by the District. Pre-Qualification status in other school districts and/or governmental agencies does not extend to, nor are applicable to the School District of Palm Beach County. All vendors are to complete and submit the Application Package so as to be reviewed and approved by the School Board.

1.2.1 Ongoing Process The District will accept applications throughout the year and review all information received. Cut-off dates for each review process have been established to provide for timely review of all applicants and to prepare the recommendations for the School Board. Those applications received after a specific cut off date will be processed in the next procedure. New cut off dates will be established within 30 days from the previous cut off date. All applications received will be submitted to the School Board after the assigned Review Committee completes its evaluation and recommendations. The District reserves the right to request additional information in its review process, or to delay its recommendation until such time sufficient information has been received for submittal to the School Board.

The Scope of Construction Disciplines to be subject to this Pre-Qualification Process is as follows:

- AB -- Asbestos Abatement/Reconstruction Services
- AP -- Asphalt Paving, Resurfacing Services
- AV -- Audio Visual Installation
- CA -- Low Voltage (Data) Cable Installation
- CS -- Concrete Services
- DM-- Demolition Services
- EL -- Electrical Contractor
- FL -- Flooring
- FN -- Fencing Installation
- FR -- Fire Alarm, Fire Sprinkler Installation and related services
- GC-- General Contractor (Includes Interior/Exterior walls, Ceilings, Floors, Sub-Contracted Services, etc.)
- HV -- HVAC (Heating, Ventilation and Air Conditioning)

LD -- Landscape & Design Services
PA -- Painting Services (Interior and Exterior)
PB -- Plumbing Contractor
PS -- Plumbing Supplies, Equipment and Services (Sewer, Lift Stations, & Repair)
PL -- Playground Installation
RF -- Roofing Installation
SI -- Signage Installation (Interior and Exterior)
SD -- Site Development, (Heavy Hauling)
SP -- Irrigation and Sprinkler System Installation
SW-- Site Work
TGC-Tower General Contractor
UU -- Underground Utilities, Emergency Utility Repair

1.3 Pre-Qualification Period. Any and all firms meeting the criteria and submitting responsive qualifications will be certified and added to the Prequalified Vendor's List(s) for their respective discipline(s) listed above for a one (1) year period following approval of all vendors certified by the School Board of Palm Beach County. District certified pre-qualified vendors may participate in Invitations to Bid for their respective and applicable projects (see Sections 1.1 and 1.2) for one year.

1.4 Request for Qualification Documents include: the Advertisement for Request for Qualifications, Instructions to Applicants, General information and procedures, Pre-Qualification Application, Related Experience Form and Affidavit of Information Provided. Note: Contract Documents will be issued as bid projects as they arise and awarded and thus, are not part of this solicitation.

2.0 GENERAL INFORMATION

2.1 Preparation and Submission of Application Package:

Each Proposer shall use the Application/Proposal Forms and attachments contained in this RFQ. Any erasures or other corrections in the proposal shall be explained or noted in ink and initialed over the signature of the Proposer. Proposals containing any conditions, omissions, unexplained erasures, alternates, items not called for or irregularities of any kind may be rejected. The School Board reserves the right to waive minor irregularities in the Proposals, or to reject all Proposals.

Each Proposal shall give, on the required document, the full business address of the Proposer, and state whether he is an individual, corporation or partnership. Proposals by a corporation must be signed with the legal name and seal of the corporation followed by the name of the state of its incorporation and by the manual signature and designation of an officer, owner, or other person, authorized to bind the corporation. Proposals by partnerships shall show the names of all partners and shall be signed in the partnership name by one of the partners or by an authorized representative. In either case, the partnership's signature shall be followed by the manual signature and designation of the person signing.

In every case, the name of the person signing, and his designation, shall be typed or printed below his signature. A Proposal by a person who affixes to his signature the word "President", "Secretary", "Owner" or other designation without disclosing his principal may be held to be the Proposal of the individual so signing. Satisfactory evidence of the authority of an officer, owner, attorney, or other person signing for a corporation and for an owner, attorney, etc., signing for a partnership or an individual shall be furnished.

2.2 Proposal Submittal

Each Contractor, firm, or person requesting pre-qualification shall submit one electronic (e-mailed) Proposal. The Proposal Submittal shall contain the following documents:

a. Letter of Interest - Signed by Principal of Proposer Company or authorized designee.

- b. Application Form -- Fully completed and signed**
- c. Related Experience - Completed**
- d. Public Entity Crime Certification - Completed, signed and notarized**
- e. Affidavit of Truth - Completed and signed**
- f. Beneficial Interest and Ownership Disclosure Affidavit – completed, signed and notarized**
- g. Letter from Surety Company stating Project Bond Limits and Aggregate (See Exhibit "A")**
- h. Insurance Certificate - provided by Applicant's insurance company(ies) and included in application submittal (See Exhibit "B" for requirements of coverages and limits)**
- i. Copies of all valid and current contractor's licenses and business occupational licenses.**
- j. Copies of certificates for School District of Palm Beach County and/or State of Florida M/WBE, if applicable.**

Applications with insufficient, inaccurate, or incomplete information may delay time in processing the application through approval by the School Board.

The preferred method for receipt of Proposals is via e-mail to Katrina.Todd@palmbeach.k12.fl.us. Proposals may also be submitted on CD and hand delivered or sent via US Mail, to the address below but may delay the review process. It is the sole responsibility of the applicant/proposer to ensure his application is received by the District at the location described below.

Location: School District of Palm Beach County
Construction Purchasing Department
3661 Interstate Park Road North, Room 209
Riviera Beach, FL 33404

Proposal Modification: Proposal Modification will be accepted from Proposers if addressed to the Owners, at the place where Proposals are to be received. Modifications shall be in writing. The requirements set forth in paragraph 2.1 pertaining to a signature on Proposals shall be applicable to the signatures on Proposal modifications.

2.3 Withdrawal of Proposals

Proposals may be withdrawn on written request received from Proposers. Such request shall be properly signed in accordance with the requirements pertaining to signatures contained in paragraph 2.1.

2.4 Lobbying

Applicants are hereby advised that lobbying is not permitted with any District personnel or Board members related to or involved with this RFQ. All oral or written inquiries must be directed through the Construction Purchasing Department.

Lobbying is defined as any action taken by an individual, firm, association, joint venture, partnership, syndicate, corporation, and all other groups who seek to influence the decision of a Board member or District personnel on the award of a contract.

Any proposer or any individuals that lobby on behalf of proposer during the time specified may result in rejection or disqualification.

2.5 RFQ for Prospective Vendors Only Who Have NOT Previously Applied

This Request for Qualification (RFQ) applies only to those firms who have not previously submitted a Construction Vendor Application for Pre-qualification to the School District of Palm Beach County. This RFQ applies only to new prospective vendors who wish to apply for the Construction Vendor Pre-Qualification Certification Program. ***Construction vendors who have previously applied and/or have been recommended to the School Board need not apply as their application has already been reviewed and processed.*** This program does not apply to material suppliers, architects and engineers, construction managers and design/build contractors who participate in Request for Proposals (RFPs) for specific projects only.

At this time, construction and trade firms need not be Pre-Qualified Vendors to act as subcontractors on major building projects (Construction Manager at Risk, Construction Manager, Design Build Projects). However, the firms who are awarded these contracts often use the list of District's Pre-Qualified construction vendors as a source to obtain subcontracting services.

The Pre-Qualification Evaluation Committee reserves the right to revoke, suspend and/or disqualify vendors who have been prequalified under this program for cause. Such action, if it occurs, will be taken at an administrative hearing at a publicly noticed time, date and place. Firms who are suspended, revoked, or disapproved may not resubmit a new application during the period of suspension or revocation, or at least 12 months within the date of disapproval.

3.0 PROCEDURE FOR PRE-QUALIFICATION OF CONTRACTORS FOR PRICE BASED SOLICITATIONS FOR FACILITIES CONSTRUCTION PROJECTS

In accordance with Section 235.31 Florida Statutes, and State Requirements for Educational Facilities, this rule is adopted for the purpose of establishing procedures and criteria for pre-qualifying responsive and responsible Contractors on school construction projects for the School District of Palm Beach County, Florida.

The application, properly and accurately executed must be submitted to and approved for acceptance by the School Board prior to submitting a bid on any construction project.

No bid for school construction shall be accepted from a contractor whose certificate has been revoked, suspended or declared delinquent.

Pre-Qualified Contractors must be capable of fulfilling specific project requirements for bonding, insurance, staffing, completion dates and work quality.

3.1 Acceptance of Contractors' Qualifications

A Contractor Pre-Qualification Review Committee will be developed to evaluate the applicant's "Statement of Contractors". After examination and evaluation of the submitted applications, the Committee shall recommend to the Board the acceptance or rejection of each applicant. The Board shall act upon the application for pre-qualification within sixty (60) days after the application has been received.

The Contractor Pre-Qualification Review Committee will be composed of representatives from the following departments:

- Building Department
- Maintenance and Plant Operations Department
- Office of Diversity in Business Practices Department
- Program Management Department

The Committee will evaluate all applications and make recommendations for type of project, dollar volume and limits allowed within the scope or pre-qualification. Contractors shall be pre-qualified by the Board on the basis of the information contained in their proposals and the criteria outlined in Section 2.2.

3.2 Letter of Approval

A letter of Approval shall be sent to all applicants' who are Board approved as Prequalified Vendors.

The letter will include:

- A statement indicating the effective dates during which the contractor may bid for applicable projects.
- A statement establishing the classification of work the contractor is approved to provide.
- A statement establishing the dollar value of work the contractor is approved to Bond.

School District of Palm Beach County

APPLICATION

I. STATEMENT OF CONTRACTOR'S QUALIFICATION

Vendor shall complete the following questionnaire in its entirety. Submit for annual qualification for individual projects to be bid on School District of Palm Beach County ("District") Construction Contracts. Additional information may be required. The District reserves the right to request and review additional information as may be required during the evaluation process to determine the vendor's qualifications to bid on projects. Failure to response to this questionnaire shall be reason to consider the vendor non-responsive.

Contractor Classifications: Contractor to specify one or more trade classifications in which the vendor is applying for pre-qualification (use Construction Classification Codes below): _____

CONSTRUCTION CLASSIFICATION CODES

- AB -- Asbestos Abatement/Reconstruction Services
- AP -- Asphalt Paving, Resurfacing Services
- AV -- Audio Visual Installation
- CA -- Low Voltage (Data) Cable Installation
- CS -- Concrete Services
- DM-- Demolition Services
- EL -- Electrical Contractor
- FL -- Flooring
- FN -- Fencing Installation
- FR -- Fire Alarm, Fire Sprinkler Installation and related services
- GC-- General Contractor (Includes Interior/Exterior walls, Ceilings, Floors, Sub-Contracted Services, etc.)
- HV -- HVAC (Heating, Ventilation and Air Conditioning)
- LD -- Landscape & Design Services
- PA -- Painting Services (Interior and Exterior)
- PB -- Plumbing Contractor
- PS -- Plumbing Supplies, Equipment and Services (Sewer, Lift Stations, & Repair)
- PL -- Playground Installation
- RF -- Roofing Installation
- SI -- Signage Installation (Interior and Exterior)
- SD -- Site Development, (Heavy Hauling)
- SP -- Irrigation and Sprinkler System Installation
- SW-- Site Work
- TGC-Tower General Contractor
- UU -- Underground Utilities, Emergency Utility Repair

II. COMPANY INFORMATION

- a) Full Legal Name: _____
- b) Address: _____
- c) City/State/Zip: _____
- d) Phone #(____)-____-____ Facsimile (Fax) # _____
- e) Email: _____

f) Type of Organization (check one below):

- Corporation
- Partnership
- Sole Proprietor

g) If Corporation, State of Incorporation: _____

h) Date of Incorporation: _____

i) Federal Employment Identification Number: _____

j) If Out-of-State Corporation, currently authorized to do business in the State of Florida; provide date of such authorization: _____

k) Name and Title of Principal Officers:

Name/Title:

Date Elected:

l) Name of Qualifying Agent(s) Date Elected

m) Name of Financially Responsible Officers:

n) Complete only if partnership organization:

Name and Address of all Partners:

o) Complete only if Sole Proprietorship:

Name and Address of Owner:

p) List State, County or other Public Agencies in which your Organization is qualified to perform work by means of pre-qualification.

| Agency Name | Trade in which Qualified | Expiration Date | Amount Approved |
|-------------|--------------------------|-----------------|-----------------|
| | | | |
| | | | |
| | | | |

q) State if Company/Organization or any member has been involved in any litigation, arbitration or administrative proceeding within the last five (5) years as a result of construction contracts, including but no limited to liens, delays, defective performance or workmanship. If yes, provide the following information for each case (If additional space is required Submit information on attached sheet):

r) Name all parties to such proceedings:

s) Names, addresses, telephone numbers of attorneys for each party:

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|--|
| |
| |
| |
| |

t) Date Litigation Commenced: _____

u) Status of Case(s): _____

v) Provide explanation of each claim by and against each party (if additional space is necessary, submit on additional sheets, label/title it accordingly and attach to this application:

w). Has owner, partner or any principal of company declared bankruptcy?

_____ Yes _____ No

If yes, provide dates and particulars:

| Date | Reason |
|------|--------|
| | |
| | |
| | |

x) Is the company certified as a M/WBE by the State of Florida?* Yes ___ No ___

*If yes, attach a copy of the certificate.

Is the company certified as a M/WBE by the School District of Palm Beach County? Yes ___ No ___

*If yes, attach a copy of the certificate.

y) List any and all subsidiaries and/or holding companies.

| |
|--|
| |
| |
| |
| |

z) State construction experience of principal member of organization:

| Name | Title | Years Experience | Type Work | Cost Range | In What Capacity |
|------|-------|------------------|-----------|------------|------------------|
| | | | | | |
| | | | | | |
| | | | | | |

aa) List licenses of organization; i.e. state licenses, certificates, business licenses, etc. include licenses of key members, including Qualifying Agents, and attach copies of all certificates, including Certificate of Competency(ies):

| Name | Trade Category | License Number |
|------|----------------|----------------|
| | | |
| | | |
| | | |
| | | |

bb) What is the maximum bonding capacity of company?

Single Limit Capacity (dollar amount, per project): _____

Aggregate Capacity (dollar amount): _____

See "Exhibit A" Letter from Bonding Agency and ensure it is included in Application Package

cc) Provide name, address and phone number of current bonding company and any others used during the past five (5) years. (Attach separate sheets if necessary)

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|--|
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| |

dd) Contractor shall provide Certificate of Insurance confirming current Worker's Compensation, Public Liability, Property Damage Value and Size. (See Insurance requirements on Exhibit B.

ee) Contractor shall complete all board-prescribed forms attached and included herein.

ff) Has firm or its principals ever failed to complete a project that required a Performance Bond or a Payment of Material and Labor Bond (or its equivalent) to be enacted?

No _____

Yes _____

If yes, provide circumstances, including details, time, place, owner, nature of bond, etc. in space below:

| |
|--|
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| |
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| |
| |

Important Note: Proposer/Applicant shall sign an Affidavit of Truth certifying that all information contained in this application is true and correct to the best of Affiant's knowledge. Affidavit form is provided with the Request for Qualifications.

Related Experience

Applicant shall provide not less than three (3) projects for each construction discipline performed, each completed or substantially completed within the last five (5) years of similar construction scope, with a value of over \$200,000. Applicant should provide similar projects based on the following criteria in descending order: 1) K-12 or other Educational Construction Experience; 2) Construction within the State of Florida; 3) Construction performed for Governmental or Educational Organization; 4) Construction of Educational and/or Public Facilities in other states.

Applicants may provide more related than three projects requested. If additional information is provided, applicant shall provide, on separate sheets and attached to this form, all of the information in a similar format as requested below.

Note: Firms applying for more than one (1) construction discipline shall provide at least three (3) projects for each discipline completed over the prior five years. *Applicants may utilize copies of these forms or use separate sheets, provided that all of the information requested below appears on the vendor's sheet.*

Project Experience #1

Project Name: _____

Project Location (Address, City, State, Zip): _____

Contact Name: _____ Phone Number: _____

Date Started: _____ Date Completed: _____

Contract Dollar Value: _____ Architect Name: _____

Was Project Completed on Schedule? Yes _____ No _____

Percentage of Work Completed by Company: _____ Were Bonds Required? _____
If so, what type and how much: _____

Type(s) of Work Performed (name disciplines, scope of work, etc): _____

Other Performance Factors: _____

Was there a M/WBE Business Goal established? _____ If so, how much was required? _____

What was the actual M/WBE percentage based on contract dollars? _____

Project Experience #2

Project Name: _____

Project Location (Address, City, State, Zip): _____

Contact Name: _____ Phone Number: _____

Date Started: _____ Date Completed: _____

Contract Dollar Value: _____ Architect Name: _____

Was Project Completed on Schedule? Yes_____ No_____

Percentage of Work Completed by Company: _____ Were Bonds Required?_____

If so, what type and how much: _____

Type(s) of Work Performed (name disciplines, scope of work, etc): _____

Other Performance Factors: _____

Was there a M/WBE Business Goal established? _____ If so, how much was required? _____

What was the actual M/WBE percentage based on contract dollars? _____

Project Experience #3

Project Name: _____

Project Location (Address, City, State, Zip): _____

Contact Name: _____ Phone Number: _____

Date Started: _____ Date Completed: _____

Contract Dollar Value: _____ Architect Name: _____

Was Project Completed on Schedule? Yes_____ No_____

Percentage of Work Completed by Company: _____ Were Bonds Required?_____

If so, what type and how much: _____

Type(s) of Work Performed (name disciplines, scope of work, etc): _____

Other Performance Factors: _____

Was there a M/WBE Business Goal established? _____ If so, how much was required? _____

What was the actual M/WBE percentage based on contract dollars? _____

**SCHOOL DISTRICT OF PALM BEACH COUNTY
SWORN STATEMENT UNDER SECTION 287.133 (3)(a)
FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES**

THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICER AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted to: _____
(print name of public entity)

By _____
(print individual's name and title)

for _____
(print name of entity submitting sworn statement)

whose business address is _____

and (if applicable) its Federal Employer Identification Number (FEIN) is: _____ (If entity has no FEIN, include the Social Security Number of the Individual signing this sworn statement:)

2. I understand that a "public entity crime" as defined in Paragraph 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or of the United States, including, but not limited to, any proposal or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentations.

3. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.

4. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:

- (1) A predecessor or successor of a person convicted of a public entity crime; or
- (2) An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

5. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which submits proposals or applies to submit a proposal on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or

applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

6. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (Please indicate which statement applies.)

_____Neither the entity submitting this sworn statement, nor any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to September 1, 1990.

_____The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to September 1, 1990.

_____The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to September 1, 1990. However, there has been a subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative Hearings and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list. (attach a copy of the final order)

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE DIRECTOR OF THE PURCHASING DEPARTMENT FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 (ONE) ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND, THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES FOR CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

(signature)

Sworn to and subscribed before me this _____ day of, _____ 20_____.

Personally known _____

OR Produced identification Notary Public - State of _____

_____ My commission expires _____
(Type of identification)

(Printed typed or stamped commissioned name of notary public)

**THE SCHOOL DISTRICT OF PALM BEACH COUNTY
Construction Purchasing Department
Pre-Qualification Application**

AFFIDAVIT

The undersigned swears that the foregoing statements are true and correct and include all material information necessary to identify and explain the operations of this firm as well as the ownership thereof. Further, the undersigned agrees to provide complete and accurate information regarding actual work performed on any projects, the payment therefore any proposed changes, misrepresentation will be grounds for terminating any contract, which may be awarded, and suspension or revocation of certification.

Executed by: _____

Signature of Affiant:

Sworn before me

This _____ Day of _____, 20____, _____

Print name of Affiant

Notary Public

Title

THE SCHOOL DISTRICT OF PALM BEACH COUNTY
BENEFICIAL INTEREST AND DISCLOSURE OF OWNERSHIP AFFIDAVIT

Bid No. _____ Project No./Title _____

Corporate Name _____ Tax FEIN Number: _____

Before me, the undersigned authority, personally appeared, _____, ("Corporate Representative") this _____ day of _____, 20____, who, first being duly sworn, as required by law, subject to the penalties prescribed for perjury, deposes and says:

- 1) Corporate Representative has read the contents of this Affidavit, has actual knowledge of the facts contained herein, and states that the facts contained herein are true, correct, and complete.
- 2) The following is a list of every "person" (as defined in Section 1.01(3), Florida Statutes to include individuals, children, firms, associates, joint adventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations and all other groups and combinations) holding 5% or more of the beneficial interest in the disclosing entity: (If more space is needed, attach separate sheet)

A. Persons or corporate entities owning 5% or more:

| Name | Address | Percentage |
|------|---------|------------|
| | | |
| | | |
| | | |

B. Persons or corporate entities who hold by proxy the voting power of 5% or more:

| Name | Address | Percentage |
|------|---------|------------|
| | | |
| | | |
| | | |

C. Stock held for others and for who held:

| 1. Name / 2. From Whom Held | Address | Percentage |
|-----------------------------|---------|------------|
| 1. | | |
| 2. | | |
| | | |
| 1. | | |
| 2. | | |
| | | |
| 1. | | |
| 2. | | |

CORPORATE REPRESENTATIVE

By: _____

SWORN TO and subscribed before me this _____ day of _____, 200____, by _____ . Such person(s). (Notary Public must check applicable box):

[] is/are personally known to me. [] produced a current driver license(s). [] produced as identification.

(NOTARY PUBLIC SEAL)

Notary Public

(Print, Type or Stamp Name of Notary Public)

SCHOOL DISTRICT OF PALM BEACH COUNTY
Exhibit "A"

(Vendor Instructions: Vendor shall obtain a letter from his bonding company to provide the information required as shown below. Vendor shall attach Bonding Agent/Company letter to proposal submitted to the District.)

(Official Letterhead of the Bonding Agent/Company)

LETTER OF INTENT FROM SURETY COMPANY

The School Board of Palm Beach County
c/o Construction Purchasing Department
3661 Interstate Park Road North, Room 209
Riviera Beach, FL 33404

Gentlemen:

This is to advise that until further notice in writing to you, we agree to provide suretyship on behalf of _____ covering construction in the amount of \$_____ for any single contract and \$ _____ in the aggregate of outstanding contracts.

When more than one surety is included in this letter of intent, unless clearly indicated to the contrary on this letter of intent, and separate limit indicated for the surety on this letter of intent, each surety agrees that it shall be jointly and severally liable with the other sureties included in this letter of intent.

Our Best Ratings for performance and size are: PERFORMANCE RATING:_____ (A or better required)

FINANCIAL SIZE: _____

Name of Surety: _____

BY: _____
Title

(Affix Seal)

Sworn to and subscribed before me this _____ day of _____ , _____

Notary Public State of: _____

My Commission expires: _____

Printed, typed or stamped commissioned name of notary public)

**SCHOOL DISTRICT OF PALM BEACH COUNTY
EXHIBIT "B"
PRE-QUALIFICATION OF CONSTRUCTION CONTRACTORS**

MINIMUM INSURANCE REQUIREMENTS

Liability Insurance:

The Contractor shall purchase and maintain such insurance that will protect him from claims set forth below which may arise out of or result from specified operations under the Bid and/or Contract, whether such operations be by himself or by any Sub-Contractor or by anyone directly or indirectly employed by any of them, or by anyone for whose acts any of them may be liable. Insurers providing the insurance required by this contract must meet the following minimum requirements:

- a) Be authorized by subsisting certificates of authority issued to the companies by the Department of Insurance of the State of Florida or be eligible surplus lines insurers under Florida Statute 626.918, and
- b) Must have a current rating of "A-" or better and a Financial Size Category of "IV" or better according to the most recent rating in effect by the A.M. Best Company.
- c) The School District of Palm Beach County must be named as an additional insured on all insurance policies required in this contract.

Workers Compensation Claims under workers' compensation, shall be in compliance with Chapter 440, Florida Statutes. Employers' Liability shall have a minimum limit of Two Hundred Thousand Dollars (\$200,000.00) per each accident.

Claims for damages because of bodily injury, occupational sickness or disease, or death of his employees.

Claims for damages because of bodily injury, sickness or disease, or death of any person other than his employees;

Claims for damages insured by usual personal injury liability coverage which are sustained (1) by any person as a result of any offense directly or indirectly related to the employment of such person by the Construction Manager at Risk, or (2) by any other person;

Claims for damages, other than to the Work itself because of injury to or destruction of tangible property, including loss of use resulting therefrom; and

Claims for damages because of bodily injury or death if any person or property damage arises out of ownership, maintenance or use of any motor vehicle.

Automotive Liability Insurance Motor vehicle liability shall be required with limits of not less than One Million Dollars (\$1,000,000.00) per occurrence for both bodily injury and property damage and Two Hundred Fifty Thousand Dollars (\$250,000.00) property damage for owned, hired and non-owned and employers' non-ownership.

The insurance required by the paragraph above shall name the Owner as an additional insured and be written for not less than One Million Dollars (\$1,000,000.00) or any limits required by law, whichever is greater.

The insurance required by paragraphs above shall provide a "Hold Harmless" and "Indemnification" Rider and shall be so noted on the Contractor's Certificate of Insurance. The Construction Manager at Risk hereby acknowledges receipt of One Hundred Dollars (\$100.00) and other good and valuable consideration from the Owner in exchange for giving the Owner the Indemnification provided in accord with this Agreement.

Certificates of Insurance for each project shall be filed with the Owner by the Contractor prior to commencement of the Work. The Certificates shall contain a provision that coverages afforded under these policies will not be cancelled until at least thirty (30) days prior written notice has been given to the Owner.

Comprehensive General Liability Insurance The Contractor shall purchase and maintain comprehensive general liability insurance including contractual liability and products and completed operations insurance. The Owner shall be named as an additional insured. Coverage shall be for bodily and personal injury and property damages as projects are awarded to the applicant. Limits of liability of the Owner shall be set at One Million Dollars (\$1,000,000.00) per claimant, and One Million Dollars (\$1,000,000.00) per incidence or occurrence.

Shall include Premises, Operations, Products, Completed Operations, Blanket Contractual, Personal Injury, and unless the Owner waives the requirement in writing because there is no exposure, Independent Contractors, Explosion, Collapse and Underground Liability.

Names the Owner as additional insured under the policy in connection with the work contracted to the Contractor (contractor shall be responsible for all policy deductibles, and self-insured retentions): all deductibles herein shall not exceed \$25,000; and

Provides the Contractor's insurance applies separately to the Owner except for Pre- Qualification. The Contractor shall be eligible, and when applicable shall purchase the following insurance coverage:

Owner's and Contractor's protective liability insurance shall be carried by the Contractor.

Property Insurance: The Contractor shall purchase and maintain Property Insurance upon the entire Work at the Site to the full insurable value thereof. This insurance shall include the interest of the Owner, Contractor's Sub-Contractors, and Sub-subcontractors in the Work and shall insure against the perils of fire and extended coverage and shall include "all risk" insurance for physical loss or damage including, without duplication of coverage, theft, vandalism and malicious mischief. If not covered under the "all risk" insurance or otherwise provided in the Contract Documents, the Contractor shall effect and maintain similar property insurance on portions of the Work stored off the Site or in transit when such portions of the Work are to be included in an Application for Payment to the Owner/Contractor.

The Contractor shall purchase and maintain such boiler and machinery insurance as may be required by the Contract Documents or by law. This insurance shall include the interest of the Owner, Contractor, Sub-Contractors and Sub-subcontractors in the Work.

Builders Risk Insurance

The Contractor, when applicable shall purchase and maintain for the life of the project, Builder's Risk Insurance. This shall be all-risk coverage, with the limits of insurance to be 100% of the completed value of the project. The policy shall include a "Waiver of Occupancy" clause. The deductible will be a maximum deductible amount of \$25,000 per claim. This pertains to transit and installation. Coverage shall be primary rather than contributory with any insurance carried by the Owner. School District of Palm Beach County shall be named as additional insured under the policy. Thirty (30) days written notice shall be provided to the School District of Palm Beach County, Florida, Construction Purchasing Department via Certified Mail in the event of impending cancellation. All deductibles are the responsibility of the Contractor.

Any loss insured under the paragraph above is to be adjusted with the Contractor and Owner and made payable to the Owner as trustee for the insurees, as their interest may appear, subject to the requirements of any applicable mortgagee clause. The Contractor shall pay each Sub-Contractor a just share of any insurance money received by the Contractor and by appropriate agreement, written where legally required for validity, shall require each Sub-Contractor to make payment to his Sub-subcontractors in similar manner.

Certificates of Insurance and a copy of all policies acceptable to the Owner shall be filed with the Owner by the Contractor prior to commencement of the Work. These Certificates shall contain a provision that coverages afforded under the policies will not be cancelled until at least thirty (30) days prior written notice has been given to the Owner. The Certificate of Insurance shall also contain the following statement: "The School District of Palm Beach County is an insured in connection with work contracted to the Contractor. This insurance applies separately to the School District except with respect to limits of liability and is primary to rather than contributory with any insurance carried by the School District."

If the Owner requests in writing that Insurance for risks other than described in the above paragraphs or other special hazards be included in the Property Insurance policy, the Contractor shall, if possible, include such insurance, and the cost thereof shall be charged to the Owner by appropriate Change Order.

If the Owner and Contractor waive all rights against (1) each other and the Sub-Contractors, Sub-subcontractors, owners and employees each of the other, and (2) the Owner and separate contractors, if any, and their Sub-Contractors, Sub-subcontractors, owners and employees, for damages to the extent covered by insurance obtained pursuant to this requirement or any other property insurance applicable to the Work except such rights as they may have to the proceeds of such insurance held by the Owner as trustee. The Owner or the Contractor, Sub-Contractors and Sub-subcontractors by appropriate agreements, written where legally required for validity, similar waivers each in favor of all other parties. The Owner as trustee shall, upon the occurrence of an insured loss, deposit in a separate account any money so received and shall distribute it in accordance with such agreement as the parties in interest may reach. If after such loss no other special agreement is made, replacement of damaged work shall be covered by an appropriate Change Order.

Property Insurance shall not be cancelled or lapsed on account of Partial Occupancy or use.