

1.1 PURPOSE, LAWS, AND REGULATIONS

- A. The purpose of the Prequalification Procedure described in this Document is to provide Owner with a mechanism to evaluate and determine whether Prospective Bidders are qualified to participate in the construction of Project. This evaluation will establish a listing of potential Project Qualified Licensed General Contractors to competitively bid for the performance of the work for the Gateway Community Action Partnership Head Start Early Education Center.

Neither this RFQ nor anything contained in the Prequalification form is intended as any type of assurance that a respondent will be prequalified or that a respondent will be pre-qualified or that requests for proposals will ultimately issue or that the referenced project will move forward.

- B. Applicable provisions of Head Start (An Office of the Administration for Children and Families Early Childhood Learning Center ECLKC) along with the applicable State of New Jersey bidding laws shall govern submittal and evaluation of qualifications.
- C. The funding agency for the project: The Head Start - An Office of the Administration for Children and Families. Applicable provisions of Head Start (An Office of the Administration for Children and Families Early Childhood Learning Center ECLKC) along with the applicable State of New Jersey laws shall be observed in bidding, letting, and execution of the Work.
- D. Prospective Bidders are required to comply with these Requirements for Prequalification. Only those Prospective Bidders who have complied with the Requirements for Prequalification and have been determined to be qualified will be eligible to submit construction bids on Project.
- E. Prospective Bidders are required to comply with the terms of all land use approvals as set forth in the approvals and resolution by the CRDA and Atlantic City Zoning Board pertaining to the Primary Project and the Secondary Project including compliance with the City of Atlantic City ordinance #44 dated 7-23-2014 titled "AN ORDINANCE ESTABLISHING A FIRST SOURCE EMPLOYMENT LINKAGE PROGRAM TO FACILITATE AND ENCOURAGE PRIVATE SECTOR EMPLOYMENT OPPORTUNITIES FOR ATLANTIC CITY RESIDENTS"

1.2 DEFINITIONS

- A. Financial Statement: The requirement for submitting a financial statement as an attachment to AIA Document A305, "Contractor's Qualification Statement" shall be understood to mean a certified annual audit, prepared according to generally acceptable accounting practices and signed by an independent certified public accountant. A Reviewed Statement of Assets and Liabilities, prepared and signed by an independent certified public accountant, is also acceptable. A self-prepared annual compiled financial statement or balance sheet is unacceptable.
- B. Prospective Bidder: A Prospective Bidder is a person or entity who submits a Submittal of Qualifications to Owner.

- C. Project: Generally described in the Advertisement for Prequalification of Bidders.

1.3 PREQUALIFICATION DOCUMENTS

- A. Prequalification Documents: Consist of the Advertisement for Prequalification of Bidders; this Request for Qualifications document; AIA Document A305, "Contractor's Qualification Statement"; and additional documents issued by Owner.
- B. Obtaining Prequalification Documents: Prospective Bidders may obtain complete sets of the Prequalification Documents from the issuing office designated in the Advertisement for Prequalification of Bidders. Prospective Bidders shall use complete sets of Prequalification Documents in preparing their submittal. Owner assumes no responsibility for errors or misinterpretations resulting from the use of incomplete sets of Prequalification Documents.
- C. Interpretation or Correction of Prequalification Documents: If the Prospective Bidder is in doubt as to the interpretation of any part of the Prequalification Documents, or finds discrepancies in or omissions from any part of the Prequalification Documents, it must submit a written Request for Interpretation thereof no later than [seven] <Insert number> days prior to acceptance of Submittals of Qualifications. Address all communications to Owner.

1.4 PREQUALIFICATION PROCEDURES

- A. Form of Prequalification Submittal:
 - 1. Submittals of Prequalification must be submitted in duplicate on AIA Document A305, "Contractor's Qualification Statement," properly executed and with all items filled out in ink or typed, and all additional data, attachments, and forms provided. Do not change or add words to the Qualification Statement or forms. All signatures must be original (and sealed if a corporation) and must be notarized and sealed by a Notary Public.
- B. Modification to Requirements for Prequalification:
 - 1. Clarifications, alterations, or changes made by Owner to the Requirements for Prequalification shall be in writing only. Verbal information is not valid or binding.
 - 2. Modifications will be mailed or delivered to those Prospective Bidders having obtained Prequalification Documents from the issuing office.
- C. Questions and inquiries pertaining to this RFQ from all potential respondents are to be directed to the following:

Gateway Community Action Partnership
Owner's Representative: Steven Caputo
Construction Project Manager
110 Cohansey Street
Bridgeton, NJ 08302
SCaputo@gatewaycap.org

- D. A prequalification conference for all prospective bidders will be held at on April 24, 2015 at 10:00 a.m., local time. All prospective bidders are recommended to attend.

Prequalification Conference Location: The office of Marathon Engineering & Environmental Services, Inc. 1616 Pacific Avenue, Suite 501 Atlantic City, New Jersey 08401

- E. Submission of Prequalification Documents:

1. Each Submittal of Prequalification shall be delivered to the location indicated in the Advertisement for Prequalification on or before the day and hour set for receipt of Submittals. Each Submittal of Prequalification shall be submitted in an opaque, sealed envelope marked in the lower left-hand corner as follows:
 - a. Bidder's Prequalification Statement for Gateway Community Action Partnership Head Start Early Education Center.
 - b. **Prospective Bidder's Name.**
 - c. **Prospective Bidder's Address.**
 - d. Contractor's License No.
 - e. Date and Time for Submittal.
2. If not delivered in person, this envelope shall be enclosed in a second envelope for posting to the location indicated for receipt of bids. This envelope shall be addressed as follows:
 - a. Bidder's Prequalification Statement for Gateway Community Action Partnership Head Start Early Education Center.
 - b. Date and Time for Submittal.

Date: May 7, 2015.
Time: 2:00 p.m., local time.
Location: The Offices of Gateway Community Action Partnership
110 Cohansey Street
Bridgeton, NJ 08302
Attention of Steven Caputo
 - c. Contractor's License No. (In return address).
3. Include a completed copy of the Prequalification Checklist attached to the cover of the Submittal.
4. It is the sole responsibility of the Prospective Bidder to ensure that its submittal is received by the submittal date and time. No faxed or e-mail submittal or modification of a submittal will be considered. No submittal submitted after the time fixed for receiving submittals will be considered; late submittals will be returned to the Prospective Bidder unopened.
5. Owner reserves the right to waive any informality and to request additional information from Prospective Bidders, at Owner's discretion.

- F. Attachments:

1. Prospective Bidders shall complete all required forms and attachments described in the Prequalification Documents, entering "Not Applicable" where information does not apply. Absence of any of the forms included in the Prequalification Documents will be reason for possible disqualification.

G. Status of Prospective Bidders:

1. Proprietors submitting bids shall indicate their status as proprietors.
2. Prospective Bidders submitting qualifications for partnerships shall indicate their status as partners and shall submit a certified copy of the power of attorney authorizing the executor of the submittal to bind the partnership.
3. Prospective Bidders submitting qualifications for corporations shall indicate their status as corporations and shall submit a certified copy of the board of directors' authorization for the Prospective Bidder to bind the corporation and shall affix the corporate seal on the submittal.
4. Prospective Bidders shall provide the following:
 - a. Names and addresses of proprietors, of all members of a partnership, or of the corporation's officers.
 - b. Name of jurisdiction where the partnership is registered or where the corporation is incorporated. Corporations must be licensed to do business in Project state at the time of executing the Contract.

1.5 WITHDRAWAL

- A. A Qualification Statement may be withdrawn on personal request received from the Prospective Bidder.

1.6 PREQUALIFICATION CRITERIA

- A. Prospective Bidders must submit the following to the satisfaction of Owner:
 1. Proper license under the laws and regulations governing their respective trade(s).
 - a. All contractors must be registered to work in the State of New Jersey
 2. Capacity to provide Performance Bond, Labor and Material Payment Bond, and Insurance in a form acceptable to Owner in amounts adequate to bond the Work based on the scope indicated in the Advertisement for Prequalifications.
 3. Applicable experience of firm as described in the Contractor's Qualification Statement, including the following:
 - a. Experience of Firm: The firm in its current organization shall have successfully completed minimum of Five (5) projects of similar type, quality, and scope. The firm shall have a record of project completion, credit record, record of judgment claims, arbitration proceedings, and suits pending or outstanding acceptable to Owner.

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- b. Experience of Firm: The firm in its current organization shall have successfully completed minimum of one (1) project of particular construction experience, quality, and scope that shall be understood to include the following project elements:
 - 1) New construction work on a zero lot line (City) site.
 - 2) Geothermal well field that serves the building connected to terminal water source heat pumps.
 - c. The firm shall have a record of project completion, credit record, record of judgment claims, arbitration proceedings, and suits pending or outstanding acceptable to Owner.
 - d. Experience of Firm Officers: The firm officers shall have personal record of project completion acceptable to Owner.
 - e. Experience of Project and Field Management Staff to Be Committed by the Prospective Bidder to Carry Out the Work: The assigned project manager and field superintendent must have successfully completed minimum of Five (5) projects of similar type, quality, and scope.
 - f. For purposes of this submittal, reference to "key individuals" as described in the Contractor's Qualification Statement shall be understood to mean the principal in charge, the project manager(s), and the project field superintendent(s) committed by the Prospective Bidder to carry out the Work of this Project. Prospective Bidder by submitting qualifications of key individuals agrees that Owner reserves the right to approve or reject subsequent reassignment of key individuals.
 - g. For purposes of this submittal, "successful completion" shall be understood to mean completion of project within project schedule and budget. Provide additional information indicating reasons why any referenced project did not meet project schedule or project budget.
 - h. For purposes of this Qualification, "similar project" shall be understood to include the following project elements:
 - 1) Reinforced masonry and veneer masonry construction.
 - 2) Steel-framed structure with composite concrete slabs.
 - 3) Automated building systems (controls, fire detection and alarm, technology wiring infrastructure, intercommunications).
- 4. Adequate financial resources, including ability to secure materials and labor necessary for completion of the Work and other work in hand, within the anticipated contract times, and reflecting the anticipated retainage from progress payments.
 - 5. Work-in-hand capacity, such that the Prospective Bidder demonstrates adequate work under contract to continue its business operations at least at their current level, at the same time indicating the capability to carry out Owner's proposed work.
 - 6. Adequate organization to complete work of the scope anticipated, including firm management, project management, field superintendence, and field engineering and quality control.
 - 7. Acceptable past performance as indicated by firm's references, including ability to meet contract time and to monitor, manage, and communicate interim scheduling requirements, to carry out required quality-control activities, to properly prepare

interim and final payment requests, and to successfully complete project closeout requirements.

8. Acceptable documentation of experience working with the City of Atlantic City construction department.
9. Acceptable documentation of firm's employee screening practices as indicating by affidavit describing background check procedures for firm's employees and requirements for same incorporated in firm's subcontracts.
10. Statement of Methodology for processing subcontractor's change orders.
11. Identify personnel that are Green Advantage Certified.
12. Documentation of completion of minimum Three (3) LEED Silver Projects.
13. Completion of AIA Document A305 along with the attachments referenced in the AIA Document A305.

- B. Consideration of qualifications may be withheld if the Qualification Statement shows any unexplained erasures, omissions, alterations of form, additions not called for, added restrictions or qualifying conditions, or other irregularities of any kind.
- C. Owner may make such investigations as it deems necessary to determine the ability of the Prospective Bidder to perform the Work, and the Prospective Bidder shall furnish to Owner all such information for this purpose as Owner may request. Owner reserves the right to withhold qualification if the evidence submitted by or investigation of such Prospective Bidder fails to satisfy Owner that such Prospective Bidder is properly qualified to carry out the obligations of the proposed Project. The determination of which bidders are prequalified is not protestable, except as allowed by law.
- D. Prequalification Submittal and data contained therein is considered privileged and confidential and will not be disclosed to any outside party except as required by law.

1.7 BONDS AND INSURANCE

- A. The Prospective Bidder shall provide as part of the Submittal of Qualifications evidence of its ability to furnish below:
 1. Performance Bond, a Payment Bond, and a Labor and Material Bond, each in the amount of 100 percent of the Contract Sum, with a corporate surety authorized to transact business in Project's jurisdiction.
 2. Bid Bond, a payment security Bond in the amount of 5 percent of the Contract Sum, with a corporate surety authorized to transact business in Project's jurisdiction.
 3. Satisfactory certificates of insurance in the amount and types required by statute, but not less than the following:
 - a. Professional design errors and omissions insurance endorsement for delegated design by Contractor's professional engineer.
 - b. Workers' Compensation insurance provisions: statutory limits.
 - c. Commercial General Liability insurance provisions: at limits established by Owner below:

1.8 CONTRACTOR INSURANCE REQUIREMENTS

- A. Satisfactory certificates of insurance in the amount and types required by statute, but not less than the following:
1. Workers' Compensation insurance provisions: statutory limits.
 2. Commercial Liability insurance provisions: at limits established GCAP and including below:
- B. The Contractor shall secure and maintain in force for the term of the Contract, insurance coverage provided herein. All insurance coverage is subject to the approval of GCAP and shall be issued by an insurance company authorized to do business in the State of New Jersey and which maintains an A.M. Best rating of A- (VII) or better.
- C. The Contractor shall provide GCAP with current Certificates of Insurance for all coverage and renewals thereof which must contain the provision that the insurance provided in the certificate shall not be canceled for any reason except after thirty (30) days written notice to the GCAP. All insurance required herein shall contain a waiver of subrogation in favor of GCAP. All insurance required herein, except Workers' Compensation and Owners and Contractors Protective, shall name Gateway Community Action Partnership, the architect/engineer and Gateway Community Action Partnership's Project Manager as additional insureds.
- D. Commercial General Liability insurance written on an occurrence form including independent contractor liability, products/completed operations liability, contractual liability, covering but not limited to the liability assumed under the indemnification provisions of this contract. Coverage for bodily injury and property damage claims arising out of the professional acts of the general contractor and subcontractors shall also be included. The policy shall not include any endorsement that restricts or reduces coverage as provided by the ISO CG0001 form without the approval GCAP. The minimum limits of liability shall not be less than a combined single limit of one million dollars (\$1,000,000) per occurrence, two million dollars (\$2,000,000) general aggregate, two million dollars (\$2,000,000) product/completed operations aggregate. The Products and Completed Operations insurance shall be maintained for two (2) years after final payment. A "per project endorsement" shall be included, so that the general aggregate limit applies solely to the project that is the subject of this contract.
- E. Comprehensive Automobile Liability covering owned, non-owned, and hired vehicles. The limits of liability shall not be less than a combined single limit of one million dollars (\$1,000,000) per occurrence.
- F. Worker's Compensation Insurance applicable to the laws of the State of New Jersey and other State or Federal jurisdiction required to protect the employees of the Contractor and any Subcontractor who will be engaged in the performance of this Contract. The certificate must so indicate that no proprietor, partner, executive officer or member is excluded. This insurance shall include Employers' Liability Protection with a limit of liability not less than one million dollars (\$1,000,000) bodily injury, each occurrence, one million dollars (\$1,000,000) disease, each employer, and two million dollars (\$2,000,000) disease, aggregate limit. Including the employer's liability insurance under the umbrella insurance can satisfy the limit requirements.

- G. The Contractor shall obtain and maintain a separate Owners and Contractor's Protective Liability Insurance Policy for the same limits of liability as specified for the Commercial General Liability Insurance in the name of Gateway Community Action Partnership. The Architect/Engineer, and the Gateway Community Action Partnership's Project Manager are to be the named as additional insured. The policy shall be maintained in force for the term of the Project or one year, whichever is longer.
- H. Excess Liability, umbrella insurance form, applying excess of primary to the commercial general liability, commercial automobile liability and employer's liability insurance shall be provided with minimum limits of three million dollars (\$3,000,000) per occurrence, three million dollars (\$3,000,000) general aggregate, and three million dollars (\$3,000,000) products/completed operations.
1. The General Liability insurance General Aggregate and Umbrella Excess Liability limits shall apply and be written exclusively, in total, to this Project only. A per project endorsement for all coverage's and limits must be included in each policy.
 - a. Bodily injury and property damage insurance policies shall be so written as to provide coverage for special hazards where such hazards will be incidental to subcontractors' work.

1.9 ACCEPTANCE OF QUALIFICATIONS

- A. Prospective bidders will be notified of Owner's determination, within 14 days from the date of submission.
- B. Evaluations will be confidential. Notifications will be publicly available information.
- C. Owner may deny prequalification if it finds one or more of the following:
1. The Prospective Bidder does not have sufficient financial capacity to perform the Work.
 2. The Prospective Bidder does not have the appropriate experience to perform the Work, including, but not limited to, having met the experience criteria set forth herein.
 3. The Prospective Bidder or any officer, director, or owner thereof has had judgments entered against him within the past five years for the breach of contracts for governmental or nongovernmental construction work including, but not limited to, design-build or construction management contracts.
 4. The Prospective Bidder has been in substantial noncompliance with the terms and conditions of prior construction with Owner, or in documented substantial noncompliance with the terms and conditions of prior construction with another public body without good cause.
 5. The Prospective Bidder or any officer, director, owner, or chief financial official thereof has been convicted within the past 10 years of a crime related to governmental or nongovernmental construction or contracting.
 6. The Prospective Bidder or any officer, director, or owner thereof is currently debarred pursuant to an established debarment procedure from bidding or contracting by any public body, agency of another state, or agency of the Federal Government.

7. The Prospective Bidder failed to provide to the public body in a timely manner any information required by the public body relevant to the six preceding subparagraphs.
 8. The Prospective Bidder provides false, nonresponsive, misleading, or incomplete information for items required herein.
 9. The Prospective Bidder fails to provide complete response to the information required within this Request For Qualifications.
- D. The acceptance of a Prospective Bidder's qualifications will be a Notice of Prequalification, signed by a duly authorized representative of Owner; no other act by Owner or its agents shall constitute the acceptance of qualifications. The acceptance of a Prospective Bidder's qualifications by Owner does not constitute a contract or promise to award a contract to the Prospective Bidder.

1.10 PROSPECTIVE BIDDER'S CHECKLIST

- A. In an effort to assist the Prospective Bidder in properly completing all documentation required, the following checklist is provided for the Prospective Bidder's convenience. The Prospective Bidder is solely responsible for verifying compliance with prequalification requirements.
- B. Attach this completed checklist to the outside of the Submittal envelope.
1. Reviewed the Prequalification Documents, including the Advertisement for Prequalification and Requirements for Prequalification, prior to preparing this submittal.
 2. Prepared AIA Document A305, "Contractor's Qualification Statement," as required by the document instructions and by the Requirements for Prequalification, including all attachments and data required as part of the Qualification Statement, properly notarized.
 3. Attached: Copy of applicable Contractor's license(s).
 4. Attached: Affidavit of Employee Screening.
 5. Attached: Resumes of key individuals.
 6. Attached: Other attachments as necessary to provide information required.
 7. Envelope shows name and address of the Prospective Bidder.
 8. Envelope shows the Prospective Bidder's Contractor's License No.
 9. By submitting notarized statement, the Prospective Bidder certifies that the Bidder can provide executed Performance Bond and Labor and Material Bond meeting requirements given in the Requirements for Prequalification.
 10. By submitting notarized statement, the Prospective Bidder certifies that the Bidder can provide Certificates of Insurance in the amounts indicated in the Requirements for Prequalification.

END OF DOCUMENT 001153