

**City of Portsmouth, New Hampshire  
Purchasing Department  
1 Junkins Avenue  
Portsmouth, NH 03801**

**PRE-QUALIFICATION STATEMENT  
Lincoln Area Sewer Separation Contract #3C**

**CONFIDENTIAL**

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## PART 1– STATEMENT OF QUALIFICATIONS

### 1.1 GENERAL INFORMATION

Date: \_\_\_\_\_

Contractor Name: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Street: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_ Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

No proposal will be accepted by a prospective bidder who is not pre-qualified. A Contractor shall not be considered pre-qualified until a complete Pre-Qualification Statement has been filed with the City and the City has identified the Contractor as pre-qualified. **Contractors previously qualified for the Lincoln Area Sewer Separation – Contracts #3A & #3B must provide an information update (see Part 4) if they wish to be considered for this Contract 3C.**

**DUTY TO UPDATE AND SUPPLEMENT:** Should any changes occur which substantially alters the data contained herein, the above named Contractor shall immediately submit to the City a revised Pre-Qualification Statement detailing the changes and the Contractor's current qualifications.

#### RESERVATION OF RIGHTS

The City of Portsmouth reserves the right not to proceed with bidding the projects. If the City bids the projects, the City reserves the following additional rights:

- (1) to reject any and all bids;
- (2) to reject any bid where, in the opinion of the City, Contractor's circumstances have materially changed and such changes affect the qualifications or responsibility of the Bidder;
- (3) to require additional information or Contractor qualifications in any bid documents;
- (4) to waive technical or legal deficiencies; and
- (5) to accept any bid that it may deem to be in the best interest of the City.
- (6) The City reserves the right to waive minor irregularities in the information contained in the pre-qualification application submitted, to make all final determinations, and to determine if pre-qualification will apply to future public works project. Firms not invited for this project will not be allowed to submit bid proposals.

#### SUBMISSION OF PREQUALIFICATION

**Pre-qualification statements must be submitted in sealed envelopes addressed to:**

**Purchasing Department, City Hall, 1 Junkins Avenue, Portsmouth, NH 03801. The words "PRE-QUALIFICATION–LINCOLN AREA SEWER SEPARATION CONTRACT #3C" must be clearly and legibly marked on the outside of the envelope. Prequalification Statements must be submitted by: March 12, 2013 at 11:00 a.m. (local time).** Pre-qualified firms will be notified when the Bid/Contract Documents for the project will be available.

## 1.2 THRESHOLD REQUIREMENTS OF QUALIFICATIONS

A. Contractor is registered with the Secretary of the State to do business in New Hampshire.

Yes  No

B. Contractor has a liability insurance policy with a policy limit of at least \$2,000,000 per occurrence and \$2,000,000 aggregate (or can provide for project). The limits may be met with an excess policy.

Yes  No

C. Contractor has current workers' compensation insurance policy as required by NH Administrative Rule RSA-281.A2.VIII.a or is legally self-insured pursuant to RSA-281.A2.IX (paragraph 1).

Yes  No  Contractor is exempt from this requirement, because it has no employees

D. During review of the pre-qualification statement, the City reserves the right to request a financial statement from the contractor (audited, preferred, if available). In the event financial statements are requested and not provided, Contractor will be considered not meeting the threshold requirements and will be disqualified.

E. Have you attached a notarized statement from an admitted surety insurer authorized to issue bonds in the State of New Hampshire, which states: (a) that your current bonding capacity is sufficient for the project; (b) your current available bonding capacity?

Yes  No

**NOTE: Notarized statement must be from the surety company, not an agent or broker.**

F. Within the last five years, has a surety firm completed a contract on your behalf, or paid for completion because your firm was in default and terminated by the project owner?

Yes  No

G. At any time during the last five years, has your firm, or any of its owners or officers been convicted of a crime involving the awarding of a contract for a construction project, or the bidding or performance of a construction contract?

Yes  No

### 1.3 ORGANIZATION HISTORY

1. Contractor Name \_\_\_\_\_
2. Principal/Permanent Address \_\_\_\_\_  
\_\_\_\_\_
- Local Address (if applicable) \_\_\_\_\_  
\_\_\_\_\_
3. How many years has Contractor been engaged in the contracting business under your present firm name? \_\_\_\_\_
4. Not Used.
5. Please identify your agent for service of process:  
\_\_\_\_\_
6. How many years of experience in the following areas of construction:
  - Sewer
    - (a) As a General Contractor: \_\_\_\_\_
    - (b) As a Sub-Contractor: \_\_\_\_\_
  - Water
    - (a) As a General Contractor: \_\_\_\_\_
    - (b) As a Sub-Contractor: \_\_\_\_\_
  - Roadway Reconstruction
    - (a) As a General Contractor: \_\_\_\_\_
    - (b) As a Sub-Contractor: \_\_\_\_\_
  - Underground Utilities (Elect., Tel., Cable)
    - (a) As a General Contractor: \_\_\_\_\_
    - (b) As a Sub-Contractor: \_\_\_\_\_
7. a. **If a corporation, answer this:**
  - When incorporated \_\_\_\_\_
  - In what State? \_\_\_\_\_
  - President's name: \_\_\_\_\_
  - Vice President's name: \_\_\_\_\_
  - Secretary's or Clerk's name: \_\_\_\_\_
  - Treasurer's name: \_\_\_\_\_

7.b. **If a partnership, answer this:**

Date of organization: \_\_\_\_\_

Is partnership general or limited? \_\_\_\_\_

Name and address of Partners: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7.c. **If a Limited Liability Company, answer this:**

Date of Organization? \_\_\_\_\_

Where Organized? \_\_\_\_\_

Is the LLC member managed or manager managed? \_\_\_\_\_

If member managed, identify the member? If manager managed, identify the manager:

\_\_\_\_\_.

Name and title of Officers if any:

\_\_\_\_\_

\_\_\_\_\_

8. Has there been any change in ownership of the firm at any time during the last three years?

**NOTE: A corporation whose shares are publicly traded is not required to answer this question.**

Yes       No

If yes please explain (next page):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

9. Is the firm a subsidiary, parent, holding company or affiliate of another construction firm?

**NOTE: Include information about other firms if one firm owns 50 per cent or more of another, or if an owner, partner, or officer of your firm holds a similar position in another firm.**

Yes       No

If yes please explain:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

10. Are any corporate officers, partners or owners connected to any other construction firms.

**NOTE: Include information about other firms if an owner, partner, or officer of your firm holds a similar position in another firm.**

Yes       No

If yes please explain:

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11. Has your firm changed names in the past five years?

Yes       No

If yes please explain:

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12. Has any owner, partner or (for corporations) officer of your firm operated a construction firm under any other name in the last five years?

Yes       No

If yes please explain:

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13. Is your firm currently the debtor in a bankruptcy case?

Yes       No

If "yes," please attach a copy of the bankruptcy petition, showing the case number, and the date on which the petition was filed.

14. Was your firm in bankruptcy at any time during the last five years? (This question refers only to a bankruptcy action that was not described in answer to question 13, above)

Yes       No

If "yes," please attach a copy of the bankruptcy petition, showing the case number and the date on which the petition was filed, and a copy of the Bankruptcy Court's discharge order, or of any other document that ended the case, if no discharge order was issued.

## 1.4 DISPUTES AND LEGAL

15. At any time in the last five years has your firm been assessed and/or paid liquidated damages after completion of a project under a construction contract with either a public or private owner?

Yes  No

If yes please explain. Identify all such projects by owner, owner's address, the date of completion of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.

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16. In the last five years has your firm been denied an award of a public works contract based on a finding by a public agency that your company was not a responsible bidder?

Yes  No

If yes please explain. Identify the year of the event, the owner, the project and the basis for the finding by the public agency:

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**NOTE: The following two questions refer only to disputes between your firm and the owner of a project. You need not include information about disputes between your firm and a supplier, another contractor, or subcontractor. You need not include information about "pass-through" disputes in which the actual dispute is between a sub-contractor and a project owner. Also, you may omit reference to all disputes about amounts of less than \$50,000.**

17. In the past five years has any claim against your firm concerning your firm's work on a construction project been filed in court or arbitration?

Yes  No

If yes please explain. Identify the claim(s) by providing the project name, date of the claim, name of the claimant, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution):

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18. In the past five years has your firm made any claim against a project owner concerning work on a project or payment for a contract and filed that claim in court or arbitration?

Yes       No

If yes please explain. Identify the claim(s) by providing the project name, date of the claim, name of the claimant, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution):

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19. Has your firm or any of its owners, officers or partners ever been convicted of a crime involving any federal, state, or local law related to construction?

Yes       No

If yes please explain. Identify who was involved, the name of the public agency, the date of the conviction and the grounds for the conviction:

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20. Has any officer, director, member, owner, partner, or principal individual of Contractor ever been convicted of any anti-trust violation, or been debarred from performing work on any contract?

Yes       No

If so, please state name of individual and reason for such action:

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Date of reinstatement (if reinstated): \_\_\_\_\_



21. Has the EPA, NHDES or any other regulatory sewer, water, stormwater, or other Water Quality Body cited and assessed penalties against either your firm or the owner of a project on which your firm was the contractor, in the past five years?

**NOTE: If you have filed an appeal of a citation and the Appeals Board has not yet ruled on your appeal, or if there is a court appeal pending, you need not include information about the citation.**

Yes       No

If yes please explain.

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22. In the past 5 years, has the Contractor ever failed to complete any work awarded to it in the scheduled contract time, including approved time extensions?

Yes       No

If so, where and why?

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23. Has Contractor or any officer, director, member, owner or partner of Contractor ever ceased work on a project?

Yes       No

If so, where and why?

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**1.5 BONDING, INSURANCE AND SAFETY**

24. Submit bonding letter in accordance with Part 1.2 (Question #E). It shall be an unqualified letter from the bonding company to the effect that they will provide the required performance and payment bonds, each in the amount of 100 percent of the bid price (Engineers Opinion of \$5.0M for Lincoln Area Contract #3C), should the Contractor be awarded the contract. Include limitations in bonding capacity, if any. Also provide name, contact, telephone number, and address of the following:

a. BANK

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b. BONDING  
COMPANY\*

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c. AGENT

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\* Bonding company must be registered and licensed to do business in the State of New Hampshire

25. If your firm was required to pay a premium of more than one per cent for a performance and payment bond on any project(s) on which your firm worked at any time during the last three years, state the percentage that your firm was required to pay. You may provide an explanation for a percentage rate higher than one per cent, if you wish to do so.

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26. List all other sureties (name and full address) that have written bonds for your firm during the last five years:

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27. Has Contractor or any officer, director, member, owner or partner, or principal individual of Contractor ever had a performance bond collected upon?

Yes       No

If so, please explain:

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28. During the last five years, has your firm ever been denied bond coverage by a surety company, or has there ever been a period of time when your firm had no surety bond in place during a public construction project when one was required?

Yes       No

If yes, provide details indicating the date when your firm was denied coverage and the name of the company or companies which denied coverage; and the period during which you had no surety bond in place.

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29. In the last five years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm?

Yes       No

If yes please explain. Name the insurance carrier, the form of insurance and the year of the refusal:

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30. Within the last five years has there ever been a period when your firm had employees but was without workers' compensation insurance or state-approved self-insurance?

Yes       No

If yes please explain the reason for the absence of workers' compensation insurance. If No, please provide a statement by your current workers' compensation insurance carrier that verifies periods of workers' compensation insurance coverage for the last five years. (If your firm has been in the construction business for less than five years, provide a statement by your workers' compensation insurance carrier verifying continuous workers' compensation insurance coverage for the period that your firm has been in the construction business.)

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31. Has any State (NH, ME, MA, VT) or Federal OSHA cited and assessed penalties against your firm for any “serious,” “willful” or “repeat” violations of its safety or health regulations in the past five years?

**NOTE: If you have filed an appeal of a citation, and the Occupational Safety and Health Appeals Board has not yet ruled on your appeal, you need not include information about it.**

Yes       No

If yes describe the citations, including information about the dates of the citations, the nature of the violation, the project on which the citation(s) was or were issued, the amount of penalty paid, if any. If the citation was appealed to the Occupational Safety and Health Appeals Board and a decision has been issued, state the case number and the date of the decision.

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32. How often do you require documented safety meetings to be held for construction employees and field supervisors during the course of a project?

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33. During the last five years, has there been more than one occasion in which your own firm has been penalized or required to pay back wages for failure to comply with the federal Davis-Bacon prevailing wage requirements?

Yes       No

If yes, describe the nature of the violation, identifying the name of the project, the date of its completion, the public agency for which it was constructed; the number of employees who were initially underpaid, the amount of back wages you were required to pay along with the amount of any penalty paid.

If yes please explain.

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**1.6 FINANCIAL RECORDS AND INFORMATION**

34. If requested by the City during review of the pre-qualification statement, the contractor shall submit their most recent audited or reviewed financial statements.

35. Identify all persons or entities that hold 25% or more of the Contractor's total notes receivable and indicate that person's or entity's relationship, if any, with the Contractor other than as debtor and the percentage for each.

NAME	RELATIONSHIP	PERCENTAGE

36. Identify all persons or entities that hold 25% or more of the Contractor's total notes payable, and indicate that person or entity's relationship, if any, with Contractor other than as a creditor and the percentage for each.

NAME	RELATIONSHIP	PERCENTAGE

PREPARED BY: \_\_\_\_\_  
Name of Individual Accountant or Officer

\_\_\_\_\_  
Complete Address of Accounting Firm (w/ zip code)

\_\_\_\_\_  
(Area Code) Telephone Number

**1.7 PERSONNEL, SUPPLIERS AND RELATED EXPERIENCE**

37. Employment record of principal individuals of Contractor, including those personnel responsible for preparation of bid proposals. Also include records of individuals who will be your field superintendents on proposed work in Portsmouth, New Hampshire. (Attach resumes if more space needed)

Individual's Name	Present Position	Years of Construction Experience	Magnitude and Type of Work	In What Capacity

38. Give names, contact, telephone numbers, and complete addresses of major material suppliers and/or subcontractors with whom Contractor has done business in past five (5) years:

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39. Give names and complete addresses of each material supplier and/or subcontractor of the Contractor who has given a notice of lien, filed a mechanics lien, applied for a payment against a payment bond, or brought suit for payment on any contract in the last five (5) years:

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40. What equipment does Contractor own that is available for proposed work? (Use additional pages if necessary)

Quantity	Item Description, Size, & Capacity	Condition	Age	Cost	Depreciation	Book Value

41. Current Workload: List the construction projects your organization has underway on this date (use additional paper if necessary):

**Project Name:** \_\_\_\_\_ Type of Work: \_\_\_\_\_  
Contract Amount: \_\_\_\_\_ % Complete: \_\_\_\_\_ % Sublet \_\_\_\_\_  
Expected Completion Date: \_\_\_\_\_ Engineer name and phone: \_\_\_\_\_  
Owners Name, Address, and Phone # \_\_\_\_\_  
\_\_\_\_\_

**Project Name:** \_\_\_\_\_ Type of Work: \_\_\_\_\_  
Contract Amount: \_\_\_\_\_ % Complete: \_\_\_\_\_ % Sublet \_\_\_\_\_  
Expected Completion Date: \_\_\_\_\_ Engineer name and phone: \_\_\_\_\_  
Owners Name, Address, and Phone # \_\_\_\_\_  
\_\_\_\_\_

**Project Name:** \_\_\_\_\_ Type of Work: \_\_\_\_\_  
Contract Amount: \_\_\_\_\_ % Complete: \_\_\_\_\_ % Sublet \_\_\_\_\_  
Expected Completion Date: \_\_\_\_\_ Engineer name and phone: \_\_\_\_\_  
Owners Name, Address, and Phone # \_\_\_\_\_  
\_\_\_\_\_

**Project Name:** \_\_\_\_\_ Type of Work: \_\_\_\_\_  
Contract Amount: \_\_\_\_\_ % Complete: \_\_\_\_\_ % Sublet \_\_\_\_\_  
Expected Completion Date: \_\_\_\_\_ Engineer name and phone: \_\_\_\_\_  
Owners Name, Address, and Phone # \_\_\_\_\_  
\_\_\_\_\_

42. List all municipal, State or Federal contracts your company has worked on in the past 3 years greater than \$200,000: \_\_\_\_\_  
\_\_\_\_\_

43. The Engineer's opinion of cost for the total construction project is \$ \$5.0M for Lincoln Area Sewer Separation Contract #3C (See work area in Part 2). Work includes sewer interceptors, drain interceptors, water mains, road improvements, traffic control, etc.

- a) Please identify an anticipated schedule for the work assuming a start time of May 2013. Lincoln Area Sewer Separation Contract #3C must be completed by June 1, 2014. Also note, any circumstances that would permit the work to be complete under an expedited schedule.
- \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



- b) Please prepare at least 4 project data sheets for similar projects completed within the last 5 years:

**Project Data Sheet #1**

Project Name: \_\_\_\_\_  
Project Location: \_\_\_\_\_  
Date Completed: \_\_\_\_\_ Duration: \_\_\_\_\_  
Value of Contract at Completion: \_\_\_\_\_ Unit Price (y/n) \_\_\_\_\_  
Funding sources: \_\_\_\_\_  
Owner Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Address: \_\_\_\_\_  
Business Name and Address of entity which constructed and managed this project:  
\_\_\_\_\_  
Engineer: \_\_\_\_\_ Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Please note special project conditions that are similar in nature (Use additional sheets if necessary):

***Sewer Interceptors (including deep cuts & ledge).***

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***Water Distribution Mains (including Temporary Water):***

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***Roadwork, Curb and Sidewalk, (including work in densely populated and/or historic neighborhoods):***

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***Other (traffic management, property restoration and public relations):***

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**Project Data Sheet #2**

Project Name: \_\_\_\_\_  
Project Location: \_\_\_\_\_  
Date Completed: \_\_\_\_\_ Duration: \_\_\_\_\_  
Value of Contract at Completion: \_\_\_\_\_ Unit Price (y/n) \_\_\_\_\_  
Funding sources: \_\_\_\_\_  
Owner Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Address: \_\_\_\_\_  
Business Name and Address of entity which constructed and managed this project:  
\_\_\_\_\_  
Engineer: \_\_\_\_\_ Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Please note special project conditions that are similar in nature (Use additional sheets if necessary):

***Sewer Interceptors (including deep cuts & ledge).***

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

***Water Distribution Mains (including Temporary Water):***

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

***Roadwork, Curb and Sidewalk, (including work in densely populated and/or historic neighborhoods):***

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

***Other (traffic management, property restoration and public relations):***

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Project Data Sheet #3**

Project Name: \_\_\_\_\_  
Project Location: \_\_\_\_\_  
Date Completed: \_\_\_\_\_ Duration: \_\_\_\_\_  
Value of Contract at Completion: \_\_\_\_\_ Unit Price (y/n) \_\_\_\_\_  
Funding sources: \_\_\_\_\_  
Owner Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Address: \_\_\_\_\_  
Business Name and Address of entity which constructed and managed this project:  
\_\_\_\_\_  
Engineer: \_\_\_\_\_ Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Please note special project conditions that are similar in nature (Use additional sheets if necessary):

***Sewer Interceptors (including deep cuts & ledge).***

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

***Water Distribution Mains (including Temporary Water):***

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

***Roadwork, Curb and Sidewalk, (including work in densely populated and/or historic neighborhoods):***

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

***Other (traffic management, property restoration and public relations):***

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Project Data Sheet #4**

Project Name: \_\_\_\_\_  
Project Location: \_\_\_\_\_  
Date Completed: \_\_\_\_\_ Duration: \_\_\_\_\_  
Value of Contract at Completion: \_\_\_\_\_ Unit Price (y/n) \_\_\_\_\_  
Funding sources: \_\_\_\_\_  
Owner Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Address: \_\_\_\_\_  
Business Name and Address of entity which constructed and managed this project:  
\_\_\_\_\_  
Engineer: \_\_\_\_\_ Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Please note special project conditions that are similar in nature (Use additional sheets if necessary):

***Sewer Interceptors (including deep cuts & ledge).***

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

***Water Distribution Mains (including Temporary Water):***

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

***Roadwork, Curb and Sidewalk, (including work in densely populated and/or historic neighborhoods):***

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

***Other (traffic management, property restoration and public relations):***

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**1.8 REFERENCES**

44. Name, contact person, telephone number, and address of three (3) **municipal officials** (not employed by Contractor) involved in current contracts or contracts completed in the last five (5) years who can attest to the character, integrity, reputation, judgment, experience, and efficiency of the Contractor.

- a. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- b. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- c. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

45. Name, contact person, telephone number, and address of three (3) **engineers** (not employed by Contractor) involved in current contracts or contracts completed in the last five (5) years who can attest to the character, integrity, reputation, judgment, experience, and efficiency of the Contractor.

- d. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- e. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- f. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

46. Names and addresses of all governmental entities who have determined Contractor qualified for the work classification requested herein and all who have determined Contractor not qualified in the last five (5) years.

a. Qualified	b. Not Qualified

Nothing construed herein shall limit the City, or its authorized representatives, from contacting any and all former owners/clients, material suppliers, Engineers and other third parties with knowledge of the Contractor's history of performance, practices and reputation. Additionally, the City will also consider their past experience with the Contractor as a basis for prequalification and will include any recent history that will help determine the Contractor's Qualifications for his project. The existence of Release and Hold Harmless

Statements directed to individual references as described above shall not be presumed to void or nullify the hold harmless language set forth in this document and included in Part 1.9.

Notes:

**It is understood and agreed that all responses from references and others obtained by the City of Portsmouth, or its authorized representatives, shall be deemed confidential.**

If a Contractor receives negative references and the City has determined the Contractor not qualified based on such references, the City or its authorized representatives, upon written request by the Contractor, will provide a summary of the nature of those negative references without identifying the party providing such reference.

A Pre-Qualification Selection Committee of individuals acting on behalf of the Owner will review prepared statements submitted by the Contractor and references. A scoring sheet will be used to tabulate the information, and Contractor Pre-Qualification will be determined by the Committee based on the Contractor's work history and information provided.

## 1.9 CONTRACTOR'S PREQUALIFICATION STATEMENT

The undersigned, on behalf of the Contractor, certifies that the Contractor has not either directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with any contract on any municipal, state, or federal project.

I swear that all the statements herein contained, including the declaration of ownership and organization, the financial information, current workload, and the record of experience have been examined by me, and to the best of my knowledge and belief are true and correct.

**On behalf of Contractor, I hereby authorize the City of Portsmouth, or its authorized representatives, to make such investigation, inquiry, checks and tests as the City, in its sole discretion, deems necessary to attempt to ascertain Contractor's qualifications.**

**On behalf of Contractor, I hereby waive any and all claims, and release and hold harmless any person(s) who provides the City, or its authorized representatives, with information or opinions held in good faith.**

Signed \_\_\_\_\_

Title \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Notary Public or Justice of the Peace

**NOTE: Contractor's Prequalification statement must be accompanied by:**

- Letter from bonding company
- Only if requested, an audited financial report (or Balance Sheet provided in Part III).

**PART 2 – LINCOLN AREA SEWER SEPARATION CONTRACT 3C AREA OVERVIEW  
MAP**



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**Insert Area Map**

### **PART 3 – FINANCIAL BALANCE SHEET**

The attached is not required unless specifically requested by the City during review of the prequalification submission.

## **PART 4 – INFORMATION UPDATE**

The City previously prequalified six contractors for Lincoln Area Sewer Separation – Contracts 3A & 3B. Those Contractors must, at a minimum, submit Part 4 – INFORMATION UPDATE of the prequalification statement if they wish to be considered for Contract 3C. Part 4 may only be used by the following six (6) Contractors:

- 1. Albanese Brothers, Inc.**  
*PO Box 518  
Dracut MA 01826*
- 2. Albanese D&S.**  
*66 Silva Lane  
Dracut, MA 01826*
- 3. H.E. Sargent Corp.**  
*378 Bennoch Road  
Stillwater ME 04489*
- 4. Methuen Construction**  
*40 Lowell Road  
Salem NH 03079*
- 5. Severino Trucking Co.**  
*P.O. Box 202  
Candia NH 03034*
- 6. S.U.R. Construction, Inc.**  
*233 Chestnut Hill Road  
Rochester, NH 03867*

**Information Update  
Prequalification Statement  
Portsmouth, New Hampshire**

**Lincoln Area Sewer Separation Contract #3C**

The City of Portsmouth reserves the right to remove a contractor from the previously invited list for reasons that are in the best interest of the City. Only Contractor's listed in Part 4 – Information Update of the Prequalification Statement shall be allowed to use this form. All others must submit a complete application.

**RESERVATION OF RIGHTS**

The City of Portsmouth reserves the right not to proceed with bidding the projects. If the City bids the projects, the City reserves the following additional rights:

- (1) to reject any and all bids;
- (2) to reject any bid where, in the opinion of the City, Contractor's circumstances have materially changed and such changes affect the qualifications or responsibility of the Bidder;
- (3) to require additional information or Contractor qualifications in any bid documents;
- (4) to waive technical or legal deficiencies; and
- (5) to accept any bid that it may deem to be in the best interest of the City.
- (6) The City reserves the right to waive minor irregularities in the information contained in the pre-qualification application submitted, to make all final determinations, and to determine if pre-qualification will apply to future public works project. Firms not invited for this project will not be allowed to submit bid proposals.

Name: \_\_\_\_\_ Date \_\_\_\_\_

Contractor: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

I \_\_\_\_\_ being a duly authorized officer of

\_\_\_\_\_ (hereinafter Contractor) certify that to the best of my knowledge the prequalification information provided to the City of Portsmouth for the Lincoln Area Sewer Separation – Contract 3B has not changed substantially, except as noted below:

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Note: If significant changes have occurred a full submission will be required at the discretion of the Owner. (Use additional sheets if needed.)

The following information is provided to update prequalification information previously submitted.

1. Letter from Bonding company indicating that we can provide the appropriate bonds as required by the City.
2. Current workload under contract \$\_\_\_\_\_
3. We have not defaulted on a contract in the last three (3) years.
4. Total Billings

2010	\$ _____
2011	\$ _____
2012	\$ _____ (Note if Projected)
5. Related projects completed within the last three (3) years (provide contacts or references that can attest to Contractor's performance). Provide at least four (4).

(Use additional sheets if needed.)

**Project Name:** \_\_\_\_\_ **Type of Work:** \_\_\_\_\_

Contract Amount: \_\_\_\_\_ % Complete: \_\_\_\_\_ % Sublet \_\_\_\_\_

Expected Completion Date: \_\_\_\_\_ Engineer name and phone: \_\_\_\_\_

Owners Name, Address, and Phone # \_\_\_\_\_

\_\_\_\_\_

**Project Name:** \_\_\_\_\_ **Type of Work:** \_\_\_\_\_

Contract Amount: \_\_\_\_\_ % Complete: \_\_\_\_\_ % Sublet \_\_\_\_\_

Expected Completion Date: \_\_\_\_\_ Engineer name and phone: \_\_\_\_\_

Owners Name, Address, and Phone # \_\_\_\_\_

\_\_\_\_\_

**Project Name:** \_\_\_\_\_ **Type of Work:** \_\_\_\_\_

Contract Amount: \_\_\_\_\_ % Complete: \_\_\_\_\_ % Sublet \_\_\_\_\_

Expected Completion Date: \_\_\_\_\_ Engineer name and phone: \_\_\_\_\_

Owners Name, Address, and Phone # \_\_\_\_\_

\_\_\_\_\_

**Project Name:** \_\_\_\_\_ **Type of Work:** \_\_\_\_\_

Contract Amount: \_\_\_\_\_ % Complete: \_\_\_\_\_ % Sublet \_\_\_\_\_

Expected Completion Date: \_\_\_\_\_ Engineer name and phone: \_\_\_\_\_

Owners Name, Address, and Phone # \_\_\_\_\_

\_\_\_\_\_

6. Name, contact person, telephone number, and address of three (3) municipal officials (not employed by Contractor) involved in current contracts or contracts completed in the last three (3) years who can attest to the character, integrity, reputation, judgment, experience, and efficiency of the Contractor.

g. \_\_\_\_\_  
\_\_\_\_\_

h. \_\_\_\_\_  
\_\_\_\_\_

i. \_\_\_\_\_  
\_\_\_\_\_

7. Name, contact person, telephone number, and address of three (3) engineers (not employed by Contractor) involved in current contracts or contracts completed in the last three (3) years who can attest to the character, integrity, reputation, judgment, experience, and efficiency of the Contractor.

a. \_\_\_\_\_  
\_\_\_\_\_

b. \_\_\_\_\_  
\_\_\_\_\_

c. \_\_\_\_\_  
\_\_\_\_\_

Nothing construed herein shall limit the City, or its authorized representatives, from contacting any and all former owners/clients, material suppliers, Engineers and other third parties with knowledge of the Contractor's history of performance, practices and reputation. Additionally, the City will also consider their past experience with the Contractor as a basis for prequalification and will include any recent history that will help determine the Contractor's Qualifications for his project.

The undersigned, on behalf of the Contractor, certifies that the Contractor has not either directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with any contract on any municipal, state, or federal project.

I swear that all the statements herein contained, including the declaration of ownership and organization, the financial information, current workload, and the record of experience have been examined by me, and to the best of my knowledge and belief are true and correct.

On behalf of Contractor, I hereby authorize the City of Portsmouth, or its authorized representatives, to make such investigation, inquiry, checks and tests as the City, in its sole discretion, deems necessary to attempt to ascertain Contractor's qualifications.

On behalf of Contractor, I hereby waive any and all claims, and release and hold harmless any person(s) who provides the City, or its authorized representatives, with information or opinions held in good faith.

Date: \_\_\_\_\_

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Contractor: \_\_\_\_\_

Notary: \_\_\_\_\_

**Notes:**

**It is understood and agreed that all responses from references and others obtained by the City of Portsmouth, or its authorized representatives, shall be deemed confidential.** If a Contractor receives negative references and the City has determined the Contractor not qualified based on such references, the City or its authorized representatives, upon written request by the Contractor, will provide a summary of the nature of those negative references without identifying the party providing such reference.

**A Pre-Qualification Selection Committee of individuals acting on behalf of the Owner will review prepared statements submitted by the Contractor and references. A scoring sheet will be used to tabulate the information, and Contractor Pre-Qualification will be determined by the Committee based on the Contractor's work history and information provided**



