

CITY AND COUNTY OF DENVER  
DEPARTMENTS OF AVIATION AND PUBLIC WORKS

## CONTRACTOR'S PREQUALIFICATION APPLICATION

<b>NAME OF APPLICANT:</b>	_____
<b>ADDRESS:</b>	_____ _____
<b>MAIN TELEPHONE AND FAX NUMBER:</b>	Phone: _____ Fax: _____
<b>Website URL Address:</b>	_____

<b>Contact person for all matters related to this application:</b>		
Name: _____	Title: _____	
E-mail: _____	Direct Phone No: _____	Direct Fax No: _____

### PART A: IDENTITY OF THE APPLICANT

1. Check the applicant's form of business entity, and complete the corresponding section below:
- |                           |                                     |
|---------------------------|-------------------------------------|
| _____ Corporation         | _____ Limited liability company     |
| _____ General partnership | _____ Limited partnership           |
| _____ Sole proprietorship | _____ Limited liability partnership |

<i>If applicant is a <b>CORPORATION</b>, complete this section, and attach a list of all directors and officers.</i>	Date of incorporation: ----/----/-----	Incorporated in the state of:
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<i>If applicant is a <b>LIMITED LIABILITY COMPANY</b>, complete this section and attach a list of all members who have management authority.</i>	Date organized: ----/----/-----	The LLC has [check one]: ___ member-managers ___ non-member manager Name: _____
	Organized in the state of:	

<i>If applicant is a <b>LIMITED PARTNERSHIP</b>, complete this section.</i>	Date organized: ----/----/-----	Organized in the state of:
	Name of general partner: _____	

<i>If applicant is a <b>LIMITED LIABILITY PARTNERSHIP</b>, complete this section.</i>	Date organized: ----/----/-----	Organized in the state of:
	Name of general partner: _____	

If applicant is a <b>GENERAL PARTNERSHIP</b> , complete this section.	Date organized: ---/---/-----	Organized in the state of:
	Names of partners:	

If applicant is a <b>LIMITED LIABILITY LIMITED PARTNERSHIP</b> , complete this section.	Date organized: ---/---/-----	Organized in the state of:
	Names of partners:	

If applicant is a <b>SOLE PROPRIETORSHIP</b> , complete this section.	Name of owner:	Address of main office:
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2. List the name, address, and telephone number of the applicant's registered agent in the State of Colorado (this would be the person or company where correspondence from the State is received):
  
3. List all states in which applicant is authorized to do business:
  
4. List all names under which applicant previously did business:
  
5. Number of years in which the applicant has been in business under its present name: \_\_\_\_\_
  
6. Number of years in which the applicant has been in business as a prime contractor for the category of work for which this application is submitted: \_\_\_\_\_
  
7. List the names and addresses of applicant's parent company, all subsidiaries of applicant, all affiliates of applicant:

**PART B. THE APPLICANT'S EXPERIENCE AND FINANCIAL CAPACITY**

1. List the category number(s) for which this prequalification application is submitted (see 3.01 of the Rules and Regulations):
  
2. Describe the work usually performed by the applicant's own work forces:
  
3. List the name of applicant's current bonding company, and the name and address of each agent for the past five years:
  
4. Attach a letter from applicant's current bonding company verifying the following information:  
 State (in US\$) applicant's: (a) individual project maximum bonding capacity: \_\_\_\_\_  
 (b) aggregate maximum bonding capacity: \_\_\_\_\_

5. During the past five years, have any demands been placed on a bid bond, payment bond, or performance bond of the applicant? \_\_\_\_\_ If the answer is "yes," attach a statement listing and describing the date, location, project, and dollar amount of each demand, and explaining the circumstances.
6. List or attach sheet with bank reference(s):
7. Within the past five years, has applicant failed to complete work under any contract? \_\_\_\_\_ If the answer is "yes," attach a statement identifying the contract and explaining when, where, and why the work was not completed. This includes contracts terminated for convenience by the owner.
8. (a) Within the past five years, excluding this application, has the applicant applied for prequalification with the City and County of Denver? \_\_\_\_\_  
  
(b) Within the past five years, has the applicant been denied prequalification, or had prequalification suspended or revoked, by any governmental entity, including but not limited to the City and County of Denver? \_\_\_\_\_ If the answer is "yes," attach a statement providing the details and an explanation of the circumstances.
9. Attach the following items:
  - (a) **\$3,000,000 prequalification limit or less.** A reviewed financial statement, including all notes, which covers the applicant's most recently completed fiscal year and is signed by a certified public accountant as a "Reviewed Statement" in which the accountant expresses his opinion on the fairness with which the statement represents the applicant's financial position, results of operations and changes in financial position. *A contractor's prequalification level may not be adjusted to an amount higher than \$3,000,000, nor may a contractor be granted special permission to bid on projects requiring prequalification above \$3,000,000, without having submitted a certified audited financial statement.*  
  
**\$5,000,000 prequalification limit or above.** A certified audited financial statement, including all notes, which covers the applicant's most recently completed fiscal year and is signed by a certified public accountant as an "Audited Statement" in which the accountant expresses his opinion on the fairness with which the statement represents the applicant's financial position, results of operations and changes in financial position. *Reviewed or Compiled statements are not acceptable for these limits.*  
  
**Is the reviewed or audited financial statement submitted herein for the identical organization named on page one? \_\_\_\_\_.** *If the answer is "no" (1) explain in a separate statement the relationship to the applicant of the organization whose financial statement is provided (such as parent, subsidiary, partner, etc.) (2) provide a written statement to the City certifying that an audited financial statement does not exist that meets Rule 6.06 showing only the financial condition of applicant, and (3) a signed Letter of Guarantee from this organization, confirming that it will act as guarantor of the applicant's performance of City construction contracts, must also be attached to this application. (See Instructions following application in item 3.)*
  - (b) Resumes of applicant's key personnel who will have supervisory responsibility for the performance of applicant's construction contracts, including senior management personnel
  - (c) A table showing the number of professional staff assigned for accounting, construction management, estimating, engineering, construction quality control, and safety.
  - (d) A list of the **fifty largest completed construction projects** undertaken by the applicant during the past five years (**non-City projects only**). A form is provided at the end of this document, or you may use your own spreadsheet as long as the **exact category names and order are adhered to**. Each category of prequalification that is being requested by the

application shall be clearly indicated next to the project examples having been performed by applicant on at least three projects on this list, at or near the monetary level of prequalification which applicant is seeking. *If you must use one project example for multiple categories, indicate the percentage of work performed by each category for that project in the "Category Example" column next to the category.* **A separate form is provided at the end of this document to list your City and County of Denver completed projects, or you may use your own spreadsheet as long as the exact category names and order are adhered to.**

- (e) A list of the applicant's City and County of Denver and non-City **construction projects in progress**. The list must be submitted using the forms provided at the end of this document, or you may use your own spreadsheet as long as the **exact category names and order are adhered to**.
- (f) A photocopy of the applicant's Experience Modification Rate Factors (EMRF) from the National Council on Compensation Insurance, Inc. (NCCI; [www.ncci.com](http://www.ncci.com)) or a similar regulatory body for non-NCCI states for the current year and each of the past four years. You may also provide this information from your insurance carrier on their letterhead.

**PART C. CITATIONS AND OTHER LEGAL PROCEEDINGS**

1. During the past five years, have any of the following been convicted of crimes related to bids, labor, taxes, wages, safety, or the performance of construction work. For each instance where the answer is "yes," attach a statement which lists the date, location, court or administrative agency, and the name and current status of the person or organization to which the answer applies. **WRITE "YES" OR "NO" IN EACH BLANK:**

The applicant: \_\_\_\_\_      Applicant's officer or director: \_\_\_\_\_      Applicant's employee: \_\_\_\_\_  
 Applicant's subsidiary or affiliate: \_\_\_\_\_      Subsidiary or affiliate's officer or director: \_\_\_\_\_      Subsidiary or affiliate's employee: \_\_\_\_\_

2. During the past five years, have any of the following been debarred or suspended from entering into contracts with any federal, state, or local governmental entity? For each instance where the answer is "yes," attach a statement identifying the governmental entity, the effective dates of the action taken, the reasons therefor, and the current status. **WRITE ONLY "YES" OR "NO" IN EACH BLANK:**

The applicant: \_\_\_\_\_      Division of applicant: \_\_\_\_\_      Affiliate of applicant: \_\_\_\_\_  
 Applicant's employee: \_\_\_\_\_      Applicant's officer/director: \_\_\_\_\_

3. Litigation: Disclosure of court, arbitration, or administrative cases during the past five years where you are or were a party, as described in the following table: **WRITE ONLY "YES" OR "NO" \_\_\_\_\_**. If "yes," attach a statement with the following information:

Cases which must be disclosed:	Information required for each case:
<ol style="list-style-type: none"> <li>1. Cases in which you were alleged to have <b>violated any local, state or federal statute, ordinance, rule or regulation</b>, for example but not limited to: OSHA violation citations; citations for wage law violations; and citations for environmental violations</li> <li>2. Cases in which your <b>bid was involved</b></li> <li>3. <b>Cases with an amount in controversy over \$75,000</b> in which your performance of any public or private construction work was involved, including but not limited to claims that you breached a contract or failed to pay subcontractors or suppliers</li> </ol>	<ol style="list-style-type: none"> <li>1. Date commenced</li> <li>2. Docket or citation number</li> <li>3. Name of the court, administrative or arbitration forum</li> <li>4. Names of the parties</li> <li>5. A statement of the subject matter and dollar amount in controversy</li> <li>6. The outcome or current status if not closed, including dollar amount of settlement.</li> </ol>

## PART D. ASBESTOS CONTRACTOR STATEMENTS

Are you requesting to be prequalified as an Asbestos Contractor? Yes\_\_\_\_\_ No\_\_\_\_\_  
(If yes, complete items 1 - 4 below.)

1. Number of years in which the applicant has been in business as an Asbestos Contractor: \_\_\_\_\_.
2. List the name, address and phone number of environmental consultants with whom you have worked:
  
  
  
  
  
  
  
  
  
  
3. Attach the following items:
  - (a) A list of all asbestos abatement experience of the key individuals of your organization.
  - (b) Applicant's General Abatement Certificate.
  - (c) Copies of the Colorado Department of Health Asbestos Worker/Supervisors identification licenses.
  - (d) A copy of applicant's current Worker Training Program.
  - (e) A copy of applicant's current Worker Release Form.
  - (f) A copy of applicant's current Respirator Program to include qualitative fit and all other pertinent descriptive data.
  - (g) A copy of applicant's current worker medical requirements and record keeping procedures.
4. Are applicant's medical records retained for a minimum of 30 years? Yes \_\_\_\_\_ No \_\_\_\_\_ (If no, provide an explanation for shortened period of time.)

### SIGNATURE

The undersigned certifies that the foregoing answers and statements on pages 1 – 6, and the attachments to this application which consist of \_\_\_\_\_ pages, are true and correct and include all material information necessary to identify and explain the experience, operations and financial condition of the applicant, \_\_\_\_\_.

[Name of applicant]

This application is submitted under the Rules and Regulations governing prequalification of contractors bidding on construction contracts of the City and County of Denver. Any material misrepresentation or omission will be grounds for terminating any contract and/or prequalification status awarded to the applicant, for initiating action as warranted under federal or state law, and for causing the applicant to be disqualified from participating in future contracts of the City and County of Denver.

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Signature of President, Chief Executive Officer, Manager, Partner, or Owner

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

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

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

(SEAL)

COUNTY OF \_\_\_\_\_

STATE OF: \_\_\_\_\_

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

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

Address of Notary: \_\_\_\_\_

My Commission Expires \_\_\_\_\_

**This application and attachments may be electronically submitted to [pwprequal@denvergov.org](mailto:pwprequal@denvergov.org). You must then follow up by mailing only the hand-signed original application and any other hand-signed documents to the address on the following page. This will complete the submittal process. Because of the size of these documents, you may want to email the financial statement in a separate email.**

**CITY AND COUNTY OF DENVER**  
**DEPARTMENTS OF AVIATION AND PUBLIC WORKS**

**INSTRUCTIONS FOR COMPLETING THE  
CONTRACTOR'S PREQUALIFICATION APPLICATION**

1. If a contractor is not prequalified as required by the bid documents for a City construction contract and wants to bid, it must complete and submit this application, with all required attachments, not later than the deadline stated in the bid documents, in order to be prequalified to bid on that contract. This deadline is usually **ten (10) calendar days** prior to bid opening; however, it is important to review each set of bid documents to determine the specific requirement for that contract. The ten (10) day deadline also covers requests for special permission.
2. If there is not sufficient space on the application to answer a question, attach a **continuation sheet which clearly identifies the number of the question for which the information is provided and your company name**. (This should not be done for each and every question.) Note in the appropriate answer space that information is being provided on an attachment. Clearly label the attachments in an indexed fashion.
3. If a Letter of Guaranty is required (see Section B.9(a)), the letter must be issued by the **parent company** on their letterhead, duly authorized and signed by an official of the parent company, and must state as follows:

[Applicant] a [State of incorporation or formation] [corporation, LLC, etc.], is a wholly owned subsidiary of [Guarantor] a [state of incorporation or formation [corporation, LLC, etc.]. This is to confirm that if [Applicant] is prequalified with the City and County of Denver, and if [Applicant] is awarded a contract pursuant to such prequalification, [Guarantor] will assure the performance of [Applicant's] obligations under such contract and will indemnify and hold the City and County of Denver harmless from and against any liability and expense which may be incurred by the City and County of Denver in connection with the failure of [Applicant] to perform such contract fully.

This is to confirm that [Guarantor] is prepared to support [Applicant] with all the necessary financing, expertise and equipment required to fulfill any commitment undertaken by [Applicant] with the City and County of Denver.

It must be accompanied by a statement that the Applicant does not have its own certified financial statement. See Part B. 9. (a)(2) of the application.

4. **Please review the application carefully for completeness** and be sure to include the following:
  - All necessary continuation sheets for any question or section.
  - The items required by Section B.9 of this application.
  - All statements and items required by Part C and, if applicable, Part D.
5. For electronic submittal of application and attachments send to: [pwprequal@denvergov.org](mailto:pwprequal@denvergov.org).
6. Send one (1) hand-signed original of the completed application to:

**City and County of Denver**  
**Department of Public Works**  
**Prequalification Section – Dept. 506**  
**201 West Colfax Avenue**  
**Denver, Colorado 80202**  
Phone: (720) 865-2539

**Applications will be returned if all attachments are not submitted on 8.5" x 11" paper using a readable font no smaller than 9, or you do not use either a 3-ring binder, Plastic GBC binding (not spiral), Acco Binder, or binder clips to secure the document. Do not use staples on any part of the application or attachments.**

**PROCEDURES WITH RESPECT TO CONFIDENTIAL INFORMATION  
SUBMITTED IN APPLICATIONS FOR PREQUALIFICATION**

The information submitted in prequalification applications – including financial statements – is used by the City to evaluate the capacity of the applicants to perform work on City contracts. Although basic information about prequalified contractors is public record, the City does not publish or disseminate the detailed company information, such as bonding capacity and financial statements, provided by applicants.

The City is subject to the Colorado Open Records Act (“CORA”), which requires the City to allow inspection of its records upon request by any person. However, CORA prohibits the City from allowing inspection of “confidential commercial or financial information” provided by others to the City.

If the City receives a request to inspect and copy a prequalification application file under CORA, it is our practice to immediately notify each company whose application is the subject of the request. We ask the Company to tell us which information, if any, in the application the company considers “confidential commercial or financial information” as defined in the law. The City will withhold from examination the portions of the file designated as confidential by the company.

If the City is sued for withholding that information, we will join the company as a party in the suit. The company will have to prove to the court that the information is confidential under the law. Most of the facts necessary to prove the confidentiality of the information under the law are within the company’s knowledge, and not the City’s.







