

DEPARTMENT OF PUBLIC WORKS AND
ENVIRONMENTAL SERVICES
UTILITIES DESIGN AND CONSTRUCTION DIVISION
12000 Government Center Parkway, Suite 463
Fairfax, Virginia 22035
Tel. No. 703-324-5111; Fax No. 703-324-3943

COUNTY OF FAIRFAX
VIRGINIA

**INVITATION TO APPLY FOR PRE-QUALIFICATION FOR
MOUNT VERNON MEMORIAL HIGHWAY TRAIL PROJECT
PROJECT No. 2G40-088-026**

Fairfax County is soliciting pre-bid qualification applications for the construction of the Mount Vernon Memorial Highway Trail Project. The works will include the construction of approximately 6,200 LF of 10' share use path, and concrete sidewalk. The works include the construction of the 16' wide pedestrian bridge spanning approximately 218 LF to be built in place with timber piling, supported with steel I-beams, rebar and concrete decking, architectural treatment, retaining wall, parapet wall, concrete barrier, coffer dam, storm pipes and structures, stormwater underground detention facility, curb and gutter, handrails, pedestrian signal, concrete asphalt paving and pavement marking. The Marine Resource Permit prohibits any construction activities in the stream from February 15 to June 30. The duration for the construction of this project will be 365 calendar days. The duration for the construction is 365 calendar days. Anticipated date for the Notice to Proceed for the construction is in December 2021. Only firms that have been pre-qualified in accordance with the procedures in this Pre-qualification Application will be eligible to submit bids for this project. **Bids received from those who have not been pre-qualified will not be considered.**

Pre-qualification Applications will be received in the Office of the Director, Utilities Design and Construction Division, Department of Public Works & Environmental Services, 12000 Government Center Parkway, Suite 463, Fairfax, Virginia until **11:00 A.M. on Friday August 20, 2021**, Applications received after this time will not be accepted.

A hard copy of the application package may be obtained free of charge commencing on **Friday July 30, 2021**, from the Utilities Design and Construction Division, Department of Public Works & Environmental Services, 12000 Government Center Parkway, Fourth Floor, Suite 463, Fairfax, Virginia 22035.

The Invitation Application form and Instructions are available on-line at:

<https://www.fairfaxcounty.gov/publicworks/capital-projects/invitation-pre-qualification>

All questions concerning this Pre-qualification Application procedure shall be submitted in writing to the Utilities Design and Construction Division as outlined on the Application instructions.

APPLICANT'S PRE-QUALIFICATION STATEMENT

MOUNT VERNON MEMORIAL HIGHWAY TRAIL PROJECT

Submitted By: _____

Applicant Name and Address: _____

Applicant Telephone No. () _____ Fax No. () _____

Applicant's Virginia Contractor's License Number: _____ Class: _____

Specialty: _____

Specialty: _____

Specialty: _____

Tax ID No. (Soc. Sec. No. If Sole Proprietor): _____

Person who can respond authoritatively to any questions about this statement:

Name: _____ Title: _____ Tel.: _____

Email: _____

Indicate if: _____ Corporation _____ Sole Proprietor _____ Partnership

_____ Joint Venture _____ Other (Indicate) _____

*The Applicant may attach additional information deemed appropriate to respond.
Do not attach additional information irrelevant to the response.*

1. Organization

A. How many years has your organization been in business as a construction contractor? _____

B. How many years has your organization been in business under its present business name? _____

C. Under what other or former names has your organization operated?

D. If your organization is a corporation, please indicate:

Date of incorporation: _____

State of incorporation: _____

President's name: _____

Vice President's name(s): _____

Secretary's name: _____

Treasurer's name: _____

E. If your organization is a partnership, please indicate:

Date of organization: _____

Type of partnership
(if applicable): _____

Name(s) of general partners: _____

F. If your organization is a sole proprietorship, please indicate:

Date of organization: _____

Name of owner: _____

G. If the form of your organization is other than those listed above, describe it and name the principals and date of commencement of business:

H. Submit a copy of the applicant's current organization chart showing numbers of employees by discipline and project and the names and titles down through Project Field Superintendent.

I. Provide proposed organizational chart for the project with names and resumes of key personnel.

J. Is the applicant related to another firm as a parent, subsidiary, or affiliate?

Yes___ No___

If yes, give names and addresses of all affiliated parent and/or subsidiary companies. Indicate which companies are subsidiaries.

2. Judgments

A. Has the applicant or any officer, director or owner thereof had any judgments entered against him within the past ten years for breach of contracts for governmental or non-governmental construction, including, but not limited to, design-build or construction management?

If yes, provide details on any such judgment.

3. Contract Compliance

A. Has your firm been found to be in substantial noncompliance with the terms and conditions of prior construction contracts in the past 10 years?

Yes: _____ No: _____

If yes, provide details on any such instance.

B. Has the Applicant ever failed to complete any work awarded to it? If yes, state date(s), project(s), owner or A/E reference(s), and reason(s).

Yes: _____ No: _____

C. Has the Applicant ever been party to a construction contract, which was terminated by the owner, for the owner's convenience or otherwise? If yes, state date(s), project(s), owner or A/E reference(s), and reason(s).

Yes: _____ No: _____

D. Has the Applicant ever been declared to be in default or partial default on a construction contract or project? If yes, state date(s), project(s), owner or A/E reference(s), and reason(s).

Yes: _____ No: _____

E. Has the Owner or Owner's Agent ever taken steps to complete contract work, which was the Applicants own responsibility? If yes, indicate date(s), project(s), owner or A/E references, and reason(s).

Yes: _____ No: _____

F. Has the Applicant ever been the subject of a stop work order on a construction project? If yes, provide: date(s), project (s), and reason(s).

Yes: _____ No: _____

G. Are there any judgments, claims, suites, arbitration proceedings, or other legal proceedings pending or outstanding to which the Applicant is a party? If yes, state date(s), project(s), and reason(s).

Yes: _____ No: _____

H. Has the Applicant filed or caused to be filed, any suits, arbitration requests, or claims with regard to any construction contracts within the past five (5) years? If yes, provide date(s), project (s), and reason(s).

Yes: _____ No: _____

I. Has the Applicant been assessed liquidated damages for failure to complete a project by contract date within the past ten (10) years? If yes, provide: date(s), project (s), and reason(s).

Yes: _____ No: _____

J. Has the Applicant ever failed to complete punch list work on time.

Yes: _____ No: _____

4. Convictions

Has the applicant or any officer, director or owner thereof been convicted within the past ten (10) years of a crime related to governmental or non-governmental construction or contracting, including, but not limited to, violation of (i) Ethics in Public Contracting (Article 4 - § 11-72 et seq.), (ii) the Virginia Governmental Government (Chapter 4.2 - § 59.1 - 68.6 et seq.) of Title 59.1), or (iv) any substantially similar law of the United States or another state? If yes, provide details on any such convictions on a separate sheet.

Yes: _____ No: _____

5. Debarment

Is the applicant or any officer, director or owner thereof 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?

Yes: _____ No: _____

If yes, provide details:

6. **References** (Provide at least five (5) references in each category and include for each reference its name, address, telephone number, and name of contact person.)

A. ENGINEERS/ARCHITECTS:

1. _____
2. _____
3. _____
4. _____
5. _____

B. MAJOR SUBCONTRACTORS:

1. _____
2. _____
3. _____
4. _____
5. _____

C. OWNERS:

1. _____
2. _____
3. _____
4. _____
5. _____

7. Financial

- A. Does any individual, company, or corporation own a 10% or more interest in the outstanding shares of the capital stock of the Applicant?

Yes: _____ No: _____

If yes, list the name and percent interest of ownership held in the Applicant:

- B. Audited financial statements for the Applicant's previous three fiscal years may be required. These financial statements, if requested, shall include a complete report of Applicant's financial resources, liabilities, equipment, and personnel.

- C. Is the Applicant currently a debtor in any bankruptcy case or has been in bankruptcy at any time during the previous five (5) years? If yes, state date(s), and reason(s).

Yes: _____ No: _____

8. OSHA Incidence Rate

List the Applicant's OSHA Incidence Rate (IR) for worker's compensation and OSHA incidence rate for the past three years:

Year	OSHA Incidence Rate (IR)
2020	
2019	
2018	

9. Surety and Insurance

- A. Provide documentation from your Surety identifying Applicant's total bonding capacity, individual job bonding capacity, and maximum the Applicant can be bonded on a single project. Provide Surety Statement as outlined in Attachment E.

- B. List all other sureties (name and address) that have written bonds for the Applicant during the last five years.

- C. Provide the following information:

Average annual contract volume for the past 5 years: \$ _____

Total value of work in progress or under contract: \$ _____

D. Has any surety company made a payment on Applicant's behalf as a result of default, to satisfy any claims made against a performance or payment bond in connection with any construction project during the previous five (5) years? If yes, state date(s), project(s), and reasons.

Yes _____ No _____

E. Has any insurance carrier, for any form of insurance, refused to renew insurance policy for your firm? If yes, state date(s), and reason(s).

Yes _____ No _____

10. Confidential and Proprietary Information

Initial here _____ if the applicant requests that all information submitted as part of this prequalification process be considered a trade secret or as proprietary information subject to the provisions of subsection D of § 11-52, Code of Virginia.

PROJECT EXPERIENCE

Applicant shall demonstrate conformance to the experience requirements of this solicitation and provide the following:

1. On a separate sheet(s), list all construction projects your organization has in progress, giving the name of project, scope, owner, design engineer/architect, contract amount, percent complete and scheduled completion date.
2. On a separate sheet(s), list all projects similar to the work herein being performed or performed during the past five (5) years, giving the name of project, owner, design engineer/architect, contract amount, and date of completion and project scope description. Please verify prior to submission that all contact information is accurate and current.
3. Provide on the following pages (attachment B1, B2, and B3) the details of three (3) similar relevant construction projects for governmental, institutional, or private owners for which the Applicant has acted as a General Contractor and completed within the past five (5) years with original contract values as defined in paragraphs C2 and C3 of Pre-Qualification Application Instructions. All of these projects shall have been constructed in residential or urban areas.

DETAILS OF PROJECT

1. Applicant Name: _____
Project Manager Name: _____
Superintendent Name: _____
2. Name of Project: _____
Contract No. _____ Project No. _____
3. Owner Name: _____
Address: _____
Contact Person: _____
Telephone Number: (____) _____
4. Engineer/Architect: _____
Address: _____
Contact Person: _____
Telephone Number: (____) _____
5. Contract Dates - Attach additional information if project was not on schedule.
Started: _____
Original Contractual Completion: _____
Final Contractual Completion: _____
Actual Completion: _____
6. Description of the project: _____

7. Contract Value: Original Contract Value: _____
Final Contract Value: _____
Value of Change Orders to Date: _____
Value of Outstanding Claims to Date: _____

8. Name of the Bonding Company: _____
Address: _____
Contact Person: _____
Telephone Number: () _____

9. Major Subcontractors:
Name: _____
Address: _____
Contact Person: _____
Telephone Number: () _____
Role in Project: _____

Name: _____
Address: _____

Contact Person: _____
Telephone Number: () _____
Role in Project: _____

Name: _____
Address: _____

Contact Person: _____
Telephone Number: () _____
Role in Project: _____

DETAILS OF PROJECT

1. Applicant Name: _____
Project Manager Name: _____
Superintendent Name: _____
2. Name of Project: _____
Contract No. _____ Project No. _____
3. Owner Name: _____
Address: _____
Contact Person: _____
Telephone Number: (____) _____
4. Engineer/Architect: _____
Address: _____
Contact Person: _____
Telephone Number: (____) _____
5. Contract Dates - Attach additional information if project was not on schedule.
Started: _____
Original Contractual Completion: _____
Final Contractual Completion: _____
Actual Completion: _____
6. Description of the project: _____

7. Contract Value: Original Contract Value: _____
Final Contract Value: _____
Value of Change Orders to Date: _____
Value of Outstanding Claims to Date: _____

8. Name of the Bonding Company: _____
Address: _____
Contact Person: _____
Telephone Number: () _____

9. Major Subcontractors:
Name: _____
Address: _____
Contact Person: _____
Telephone Number: () _____
Role in Project: _____

Name: _____
Address: _____

Contact Person: _____
Telephone Number: () _____
Role in Project: _____

Name: _____
Address: _____

Contact Person: _____
Telephone Number: () _____
Role in Project: _____

DETAILS OF PROJECT

1. Applicant Name: _____
Project Manager Name: _____
Superintendent Name: _____
2. Name of Project: _____
Contract No. _____ Project No. _____
3. Owner Name: _____
Address: _____
Contact Person: _____
Telephone Number: (____) _____
4. Engineer/Architect: _____
Address: _____
Contact Person: _____
Telephone Number: (____) _____
5. Contract Dates - Attach additional information if project was not on schedule.
Started: _____
Original Contractual Completion: _____
Final Contractual Completion: _____
Actual Completion: _____
6. Description of the project: _____

7. Contract Value: Original Contract Value: _____
Final Contract Value: _____
Value of Change Orders to Date: _____
Value of Outstanding Claims to Date: _____

8. Name of the Bonding Company: _____
Address: _____
Contact Person: _____
Telephone Number: (_____) _____

9. Major Subcontractors:
Name: _____
Address: _____
Contact Person: _____
Telephone Number: (_____) _____
Role in Project: _____
Name: _____
Address: _____
Contact Person: _____
Telephone Number: (_____) _____
Role in Project: _____
Name: _____
Address: _____
Contact Person: _____
Telephone Number: (_____) _____
Role in Project: _____

KEY PERSONNEL

1. Provide information about the experience of key personnel of the Applicant that will be associated with this project. The information shall include name, title, intended assignment, years of construction experience, last employer, last position, and experience on similar projects.
2. Applicant must also provide the percentage of time the key personnel will dedicate to the project.

VIRGINIA CLASS A CONTRACTOR'S LICENSE STATEMENT

Provide a Statement of applicant's ability to possess a Virginia Class A Contractor's License with appropriate Specialty Classification(s) prior to bidding, and a commitment to ensure that affected subcontractors shall obtain applicable Virginia Contractor's Licenses.

SUGGESTED SURETY STATEMENT

REFERENCE: APPLICATION FOR PRE-QUALIFICATION – FAIRFAX COUNTY
[PROJECT NAME]

(Name of Applicant) has been a client of (name of Surety Company) for over (_____) years. During that time, we have supported this firm in their pursuit of projects in the \$_____ range and total programs in excess of \$_____. We are prepared to provide Bid, Performance, and Payment Bonds on the aforementioned project, provided (name of Applicant) is awarded the contract.

We also possess certificates of authority as an acceptable surety authorized to do business in the Commonwealth of Virginia as published annually in the Federal Register, Department of Treasurer, Fiscal Service, Department Circular 570.

Sincerely,

Attorney-In-Fact
(Name of Surety Company)

Name of Surety

Signature

Typed Signature

Date

Address

Telephone

SAFETY PROGRAM and HISTORY

A. Does your firm have a written safety program?

Yes _____ No _____

If yes, provide detail of your safety program on separate sheet.

B. Does the firm incorporate safety and health related issues into their new employee orientation programs?

Yes _____ No _____

C. Does the firm include work safety as a part of an employee's performance evaluation?

Yes _____ No _____

D. To what degree does senior/corporate management support safety related matters? Does the firm have a safety policy statement signed by a member of senior/corporate management?

Provide detail on separate sheet.

E. Does the firm have a full time Safety Manager? Does this person report to a high level, authoritative position within the Company?

Yes _____ No _____

If yes, provide detail on separate sheet.

F. Are safety inspections conducted at work sites? If so, how often and by whom?

Provide detail on separate sheet.

G. Are safety-training programs conducted for employees? If so, how often and by whom?

Provide detail on separate sheet.

H. Are safety "tailgate meetings" and "toolbox meetings" conducted by the firm? If so, how frequently?

Provide detail on separate sheet.

- I. Does the firm have a visibly active safety committee? If so, how often does it meet? Who serves on the committee?

Provide detail on separate sheet.

- J. Is the firm an active member of a recognized construction safety organization in the Washington, D.C. Metropolitan area, or in the state of contractor's domicile?

Yes No Name: _____

- K. What is the firm's OSHA incidence rate for the past three (3) years?

Provide detail on separate sheet.

- L. In the previous three years has your firm been cited for a serious violation, willful violation, violation for failure to abate or repeated violation (as defined by OSHA)? See attachment G, Fairfax County Construction Safety Resolution.

Yes No

If yes, provide detail on separate sheet.

- M. Attach OSHA form 300 and OSHA form 300A with a summary of occupation injuries and illness for the last thirty-six (36) months.

ATTACHMENT G

All bidders will be required to meet Fairfax County Safety Resolution at the time of bid. The current Fairfax County Safety Resolution is provided below.

FAIRFAX COUNTY CONSTRUCTION SAFETY RESOLUTION

The Contractor shall comply with the resolution adopted by the Fairfax County Board of Supervisors on December 8, 2003, as amended:

- A. It shall be required that each bid submitted to the County for a contract for construction, alteration, and/or repairs, including painting or decorating of a building, highway, street, bridge, sidewalk, culvert, sewer, excavation, grading, or any other construction, include a list of all the following actions which have become final in the three years prior to the bid submission:
1. Willful violations, violations for failure to abate, or repeated violations, for which the bidder was cited by (a) the United States Occupational Safety and Health Administration; (b) the Virginia Occupational Safety and Health Administration; or (c) the occupational safety and health plan for any other public jurisdiction; or
 2. Three (3) or more serious construction safety violations for which the bidder was cited by the (a) United States Occupational Safety and Health Administration; or (b) the Virginia Occupational Safety and Health Administration; or (c) the occupational safety and health plan from any other public jurisdiction.
 3. Termination of a contract between the contractor and any public entity by their purchasing agent or his designee for safety violations.
- B. If the bidder has not received or been the subject of any such violations referenced in paragraph A in the three (3) years prior to the bid submission, then the bidder shall so indicate by certification on the bid form entitled Certification of Safety Violations. The bidder will also indicate on this form each state in which work was performed in the three (3) years prior to the bid submission.
- C. No bidder or contractor may bid on a County construction contract who has been the subject of any citations for the type and number of violations listed in aforementioned paragraph A, which have become final within the three (3) years prior to the bid submission.
1. Notwithstanding the language of paragraph C, above, any bidder or contractor who has been the subject of a violation, as described in paragraph A.1, which has become final in the three (3) years prior to the bid submission, may bid, if the bidder or contractor meets the eligibility criteria set forth in paragraph E, below.
 2. Notwithstanding the language of paragraph C, above, any bidder or contractor who has been the subject of the type and number of violations as described in paragraph A.2, which have become final within three (3) years prior to bid submission, may bid, if the bidder or contractor meets the eligibility criteria in paragraph E, below.
 3. Notwithstanding the language of paragraph C, above, any bidder or contractor who has previously been terminated from a public contract, as described in

paragraph A.3, within three (3) years prior to the bid submission, may bid, if the bidder or contractor meets the eligibility criteria in paragraph E, below.

- D. Prior to bidding on a project, under the provisions of paragraph C above, a contractor may request that a determination be made by the County's Purchasing Agent or designee, regarding their eligibility to submit a bid on a contract under the terms of this resolution. However, this request for determination and any subsequent adjudication process must be completed prior to submitting a bid on any project and the request for determination must be received by the County's Purchasing Agent or designee no later than twenty-one (21) days before bids are due unless otherwise stated in the Solicitation. A notice of the bidder's request for determination of eligibility will be posted publicly for comments by any interested party. The bidder's request for determination of eligibility and all supporting documentation provided by the bidder to the County in support of its request shall be open to the inspection of any interested person, firm, or corporation in accordance to the requirements of Fairfax County Purchasing Resolution and Virginia Freedom of Information Act.
- E. At the request of the Purchasing Agent or designee, the County Risk Manager shall evaluate a contractor's eligibility. Contractors may be subject to a special audit of their safety records as required. The criteria used by the Risk Manager in evaluating contractor's eligibility shall include but not be limited to the following:
1. Corrective action taken by a bidder or contractor to prevent the recurrence of safety violations.
 2. Days Away From Work Incident Rate for the past three (3) years.
 3. Summary of Work-Related Injuries and Illnesses/Incident Rate for the past three (3) years.
 4. Worker's Compensation Experience Modification Rating for the past three (3) years.
 5. Fatality record for the past five (5) years.
 6. Detailed information regarding the firm's safety program including but not limited to a Safety and Health plan and qualifications of the safety personnel.
 7. Verification that management staff directly in charge of projects that experienced safety violations listed in aforementioned paragraph A will not be involved in the County project.
 8. Incorporation of safety and health related issues into their new employee orientation programs.
 9. Incorporation of work safety as a part of an employee's performance evaluation.
 10. Support of safety related matters by senior/corporate management. Does the firm have a safety policy statement signed by a member of senior/corporate management?
 11. Designation of a full time Safety Manager. Does this person report to a high level, authoritative position within the Company?

12. Frequency and type of safety inspections conducted at work sites.
 13. The number and type of safety training programs conducted for employees.
 14. Frequency of safety "tailgate meetings" conducted by the firm.
 15. Designation of an active safety committee, frequency of their meetings and list of members of the committee.
 16. Active membership in a recognized construction safety organization in the Washington Metropolitan area, or in the state of contractor's domicile.
- F. The determination of eligibility rendered by the Purchasing Agent or his designee shall be final unless it is appealed in accordance with the provisions of the solicitation or the Fairfax County Purchasing Resolution.
 - G. It shall be a condition of each County construction contract, as discussed above, that no contractor or subcontractor contracting for any part of the contract work shall require any laborer, mechanic, or other person employed in the performance of the contract to work in surroundings or under working conditions which are hazardous or dangerous to his safety, as determined under construction safety standards promulgated by the U.S. Department of Labor or the Virginia Department of Labor and Industry.
 - H. The contractor awarded a County construction contract shall certify in writing that they will not knowingly, willfully, or recklessly employ or contract with any person, company, corporation, or any other entity for services pursuant to that contract if such person, company, corporation, or other entity could not have been awarded such contract due to the restrictions in paragraph C, above.
 - I. The contractor shall also certify in writing that all safety related information provided in accordance with the Safety Resolution and contract requirements are complete, accurate, and truthful.
 - J. The failure to provide information requested pursuant to this Resolution or the failure to conform to the certification requirements of this Resolution shall be grounds for disqualifying a prospective bidder.
 - K. The County may impose the following sanctions upon a contractor who willfully submits any false or misleading certification or information regarding material facts in connection with submissions pursuant to this Resolution, or willfully omits any certification or information regarding material facts in connection with submissions pursuant to this Resolution. The term willful shall include intentional or reckless acts or omissions.
 - (1) Disqualify the prospective bidder from bidding a contract.
 - (2) Debar the contractor from bidding future contracts for a period not to exceed three years.
 - (3) Terminate the contract awarded to the bidder after providing notice and opportunity to be heard.

QUALITY CONTROL PROGRAM

Describe your Quality Control and Quality Assurance Programs. Detail how these programs will be implemented for these types of construction projects.

AFFIDAVIT OF ACCURACY

The undersigned swears or affirms under the penalty of perjury and upon personal knowledge that the contents of the Application for Pre-Qualification are true and correct.

The undersigned swears or affirms under the penalty of perjury that the contractor, it's agents, servants and/or employees, to the best of his/her knowledge and belief, have not in any way colluded with anyone for and on behalf of the contractor an unfair advantage over others, nor have they colluded with anyone for and on behalf of the Contractor, or themselves, to gain any favoritism in the award of any contract resulting from this bid.

NAME OF APPLICANT

REPRESENTATIVE/TITLE
(SIGNATURE)

ADDRESS

TELEPHONE NUMBER

DATE: _____

NOTARY SEAL:

**FAIRFAX COUNTY
DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES**

**PRE-QUALIFICATION APPLICATION INSTRUCTIONS
FOR**

**MOUNT VERNON MEMORIAL HIGHWAY TRAIL PROJECT
PROJECT NO. 2G40-088-026**

1. GENERAL

Fairfax County ("County") is soliciting pre-qualifications of bidders for Pedestrian Improvement Project including pedestrian bridge.

Only firms that have been pre-qualified in accordance with the procedures set forth herein will be allowed to submit bids for this project. Bids received from those who have not been pre-qualified will not be considered.

The decision to pre-qualify an Applicant shall not constitute a determination that the Applicant is responsive, and such Applicant may be subsequently rejected as non-responsive on the basis of subsequently discovered information. All bidders will be required to meet the Fairfax County Safety Resolution at the time of bid. See Attachment G for the current Fairfax County Safety Resolution.

Pre-Qualification is good for one year from the date that the pre-qualified companies are notified. If this project is not advertised for bid within one year of the pre-qualification date, a new pre-qualification will be conducted.

The County shall not be responsible for any costs incurred by Applicants as a result of their participation in this procurement process. Each Applicant shall bear its own expenses in connection with such participation including the provision of any supplemental information, which may be requested. The County shall have no liability for costs incurred by Applicants in connection with the preparation and evaluation of pre-qualification materials and any findings and determinations made therefrom.

All material submitted by the applicant shall become the property of the County and will not be returned. Applications will be treated as confidential documents.

The County reserves the right to extend the Application submission deadline, by way of an addendum, should such action be deemed in the best interest of Fairfax County.

Termination of the Pre-qualification process can occur, and the County reserves the right to do so when necessary. Applicants will be so notified in writing. If the process is terminated, no compensation will be made to any applicants regardless of the stage of completion of the process.

2. DESCRIPTION OF WORK

This is a summary of the proposed Work:

Construction of approximately 6,200 LF of 10' shear use path, and concrete sidewalk. The works include the construction of a 16' wide pedestrian bridge spanning approximately 218 LF to be built in place with timber piling, steel I-beams, rebar and concrete decking, architectural treatment, retaining wall, parapet wall, concrete barrier, coffer dam, storm pipes and structures, stormwater underground detention facility, curb and gutter, handrails, pedestrian signal, concrete asphalt paving and pavement marking. The Marine Resource Permit prohibits any construction activities in the stream from February 15 to June 30. The duration for the construction is 365 calendar days. Anticipated date for the Notice to Proceed for the construction is in December 2021.

3. PREPARATION AND SUBMISSION OF PRE-QUALIFICATION APPLICATION

- A. Pre-qualification Applications must be received by the County no later than the date and time indicated in the Invitation to Apply for Pre-qualification. The Applicant shall assume full responsibility for timely delivery of the Application. The sealed Application package must be clearly and legibly marked on the outside lower left corner as follows:

SEALED PRE-QUALIFICATION APPLICATION - DO NOT OPEN
Mount Vernon Memorial Highway Trail Project

The sealed Application package must be received at the location and time as stated in the Invitation to Apply for Pre-qualification.

- B. The Pre-qualification Application Form must be typed or printed. All pages shall be consecutively numbered. **Submit One (1) original application and one PDF version on CD/DVD.**
- C. Applicant shall provide all Supplemental Information including any additional information requested in the Invitation or submitted as part of the Pre-qualification Application Form. This information shall be typed or clearly printed on the Applicant's letterhead in an organized, concise manner and should follow the same sequence as the Pre-qualification Application Form with the item numbers cross-referenced. The County or assigned designee may, at their sole discretion, contact one or more Applicants during the evaluation process for clarification of any entries in the Pre-qualification Application and may request additional information. Such additional information must be submitted to the County no later than seven (7) calendar days after the receipt of the request by the Applicant.
- D. The County intends to contact all references listed in the application to establish Applicant's performance in all aspects. The relationship of the reference to the Applicant shall be established and the reference's job title shall be given.

- E. Applicants must provide prompt notice to the County if the Applicant experiences a substantial change in its financial condition, ownership, corporate structure or personnel after the Pre-qualification Application Form and related information have been submitted and prior to completion of the bidding process.

Failure to notify the County of any substantial change in financial condition, corporate structure or personnel may constitute grounds for rescinding the Applicant's qualification to bid or for rejection of their bid proposal.

4. APPLICANT QUESTIONS, ADDENDA, AND INTERPRETATIONS

- A. All requests for interpretation of the meaning of the Pre-qualification Instructions and Application Form must be made in writing addressed as indicated in the Invitation to Apply for Pre-Qualification, and to be given consideration, such requests must be received at least seven (7) calendar days prior to the advertised deadline for submittal of the Pre-qualification Application.
- B. **Any and all such interpretations and any supplemental instructions or changes will be in the form of written addenda which, if issued, will be mailed, emailed or faxed to all Applicants not later than (3) three calendar days prior to the deadline for submittal of the Pre-qualification Application. Failure of any Applicant to receive any such addenda shall not relieve the Applicant from any obligation under this Pre-qualification Procedure. All addenda so issued shall become part of the Pre-qualification Application and acknowledgment of receipt must be indicated by all Applicants on the Pre-qualification Application Form on page 1.**

5. EVALUATION OF PRE-QUALIFICATION APPLICATIONS

- A. The County will determine whether applicants are either "qualified" or "not qualified" to bid on this Project. The County will notify all Applicants in writing whether or not they have been determined to be a pre-qualified contractor within thirty (30) calendar days after the deadline for receipt of the Pre-qualification Application. This decision shall be final unless the Applicant appeals within ten (10) calendar days of receipt of the Notice by instituting legal action as provided in the Code of Virginia.

If, upon appeal, it is determined that the action taken by the County was arbitrary or capricious, or not in accordance with the Code of Virginia, statutes or regulations, the sole relief available to the Applicant shall be restoration of eligibility. The Applicant may not institute legal action until all statutory requirements have been met.

In determining whether an Applicant should be pre-qualified, the County, in its sole and absolute discretion, will decide whether the Applicant is capable of fully performing the contractual requirements for the Project, in all respects. The pre-qualification process is designed to determine the applicant's performance capability as well as its business integrity and reliability.

- B. Any unsatisfactory references may serve as a basis for disqualification of the Applicant. Examples of unsatisfactory references include but are not limited to untimely performance, failure to properly schedule the work, failure to complete the work, defective work not corrected, failure to complete punch list work, lack of proper manpower to meet scheduled activities, poor workmanship, submission of unreasonable claims, failure to make prompt payments, inappropriate staffing, or any other documented evidence of noncompliance with the terms and conditions of prior construction contracts.
- C. In evaluating each Application for Pre-qualification, the County will consider information provided in the Application for Pre-qualification and Project Experience as outlined in Article 7 below.
- D. Applications will be evaluated in accordance with the criteria listed in these Instructions. An unsatisfactory rating in any one category may be considered sufficient cause to determine that an Applicant is “not qualified to bid”.
- E. By submitting an Application, the Applicant agrees that the County and/or its representatives may research the information provided and contact entities associated with such information, at its discretion.
- F. The County or its designee may deny pre-qualification to any Applicant if it finds any of the following (in addition to other criteria outlined in this Application):
 - 1. Pre-qualification submittals that fail to conform to the requirements of the Pre-qualification Application may be considered non-responsive and the Applicant determined to be "not qualified to bid".
 - 2. If any Applicant knowingly makes a misrepresentation in submitting information to the County, such misrepresentation may be sufficient grounds for denying pre-qualification to that Applicant or rescinding the Applicant's pre-qualification. Any such misrepresentation may also result in debarment of the Applicant by the County.
 - 3. The Applicant does not have sufficient financial ability, including bonding capacity, to perform the contract.
 - 4. Applicant does not meet minimum experience requirements.
 - 5. The Applicant does not have the appropriate staff or experience to perform the work.
 - 6. The Applicant (or any officer, director, or owner thereof) has had judgments entered against him/her within the past ten (10) years for the breach of contract for governmental or non-governmental projects, including but not limited to, construction or construction management contracts.

7. The Applicant has been in substantial non-compliance with the terms and conditions of prior construction contracts without good cause.
8. The Applicant (or any officer, director, owner, project manager, procurement manager, or chief financial official thereof) has been convicted within the past ten years of a crime related to construction or contracting.
9. The Applicant (or any officer, director, owner thereof) is currently debarred pursuant to an established debarment procedure from bidding or contracting by any public body, agency or another state, or agency of the Federal Government.
10. The Applicant fails to provide to the County any additional information requested by the County within time frames established in this solicitation.

6. APPLICATION REQUIREMENTS

Application Forms and Supplemental Information must be typed or printed clearly. Information presented therein shall be clear, complete and concise. Page 1 of the Application for Pre-qualification shall be the cover page for each copy of the Application submitted. The following forms and attachments comprise the Application for Pre-qualification:

- A. Applicant's Pre-qualification Statement: The Applicant shall provide the information required. The form in Attachment A shall be used.
- B. Project Experience: List construction projects currently being performed or performed during the past five (5) years as outlined in Attachment B. Provide details on three of those projects which are most similar in size, complexity, and scope to the proposed Project on the enclosed form Attachments B1, B2 and B3 to demonstrate conformance to minimum experience requirements described in Article 7.
- C. Key Personnel: Information about the experience of the key personnel that the applicant plans to assign to these projects.
- D. Contractor's License: A statement of applicant's ability to acquire a Virginia Class A Contractor's License with appropriate specialty classification, if currently unlicensed, prior to bidding; and a commitment to require that all affected subcontractors obtain applicable Virginia licenses.
- E. Surety Statement: Applicant's ability to acquire bid, performance, and payment bonds for this project.
- F. Safety Program and History: Description of Applicant's Safety Program, Safety Record and OSHA incidence rate (IR), during the past three (3) years.
- G. Fairfax County Construction Safety Resolution

- H. Quality Control Program: Applicant shall outline its Quality Control Program and its implementation plan.
- I. Affidavit of Accuracy: Certification that the information contained in the Application for Pre-qualification is true and accurate. The form in Attachment J shall be used.

7. PROJECT EXPERIENCE

The pre-qualification application shall demonstrate the experience of the Applicant as a general contractor of pedestrian improvement project. The Applicant shall describe their experience, specifically identifying and describing the following:

A. Minimum Experience Requirement:

1. The Applicant must have been established as a full-time construction contractor for a minimum of seven years holding or eligible to hold a Virginia Class A contracting license.
2. The Applicant shall have acted as a General Contractor and have successfully completed construction, in accordance with the contract documents on time and on budget, of at least three similar type of projects which involve the pedestrian bridge for governmental, institutional, or private owners, within the past five years. These projects must include elements similar to the work in the proposed pedestrian walkway and pedestrian bridge. For the three projects to qualify, two of the projects must have an original Contract value in excess of \$2,000,000 each and one project must have an original contract value in excess of \$5,000,000.
3. Applicants shall demonstrate experience in the installation of various pedestrian improvement projects. The work shall include but is not limited to the following: installing of storm pipes, and structures, stormwater underground detention facility, pedestrian bridge, asphalt pavement and concrete placement, and pedestrian signal. Please see additional experience requirements under Key Personnel/ Project Team in Section 8.
4. Satisfactory performance as a general contractor within the past five years on projects similar in size, complexity, and scope including the ability to meet scheduled completion dates and running multiple qualified crews simultaneously.

- B. Satisfactory experience in the General Contracting of pedestrian improvement projects within the last five years. Provide the current status of projects in progress including project duration and anticipated completion of each project. Explanations shall be given for any project that finished or is currently behind schedule.

- C. Name, address and telephone number of individual(s) representing owners of each listed construction project who is familiar with the services provided by the Applicant. Fairfax County will contact the individual to verify the experience and satisfactory performance of services by the applicant.
- D. Ability to obtain Performance and Payment Bonds in the amounts required for the individual projects.
- E. Possession of a valid Class A Virginia Contractor's license with appropriate specialty classification(s) prior to bid submission.

8. KEY PERSONNEL / PROJECT TEAM

The Applicant must identify the Applicant's proposed key personnel including project executive, project manager, and field superintendent intended to be assigned to the projects in the event award is made to the Applicant's firm.

Such personnel shall be, insofar as practical, assigned to the project for the duration of such project. The applicant must provide a detailed resume for each such individual. The Applicant shall describe in the application the individuals' responsibilities on previous projects and their proposed responsibility on this project. The application must demonstrate that the Applicant has the capability, in terms of both types and quantities of personnel, facilities and equipment required to accomplish the contract goals on schedule.

The Applicant's project management team must reflect at least five years of experience for each key person on relevant work. Those key people who do not have five years of experience will be removed from the proposed organization chart and the chart thus evaluated. If the Applicant does not propose a project management team meeting the minimum experience and qualification criteria, the Applicant may be considered "not qualified to bid". The successful Applicant must assign the proposed project manager to this project or replace them with individuals having equal or greater relevant construction experience.