

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

**PRE-QUALIFICATION APPLICATION INSTRUCTIONS
FOR**

**OAK MARR PUMP STATION REHABILITATION
PROJECT NO. WW-00001-017**

1. GENERAL

Fairfax County ("County") is soliciting pre-qualifications of bidders for construction of the Oak Marr Pump Station Rehabilitation project.

Only firms that have been pre-qualified in accordance with the procedures set forth herein will be allowed to submit bids for these projects. 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 responsible, and such Applicant may be subsequently rejected as non-responsible 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.

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

Project consist of the installation: of a new wet well with exhaust fan, a grinder, two (2) 11-horsepower submersible non-clog pumps with a variable frequency drive, a new gravity and force main associated connections, a new pre-cast manhole, a new pre-cast valve vault with internal piping and sump pump, a magnetic flow meter, an outdoor generator with enclosure, and a new HVAC unit for the pump station control building. The project also consists of all the associated electrical and instrumentation and controls work, the abandonment of the existing dry well, various site improvements work, and all other work required in accordance with the Contract Documents. All work is to be done while maintaining continuous pumping operations throughout the project duration.

The General Contract for this project is anticipated to be advertised for bid in **July 2022** with bid opening in **August 2022**. The projected Contract Award date is planned for **October 2022**, with an anticipated construction start of **November 2022**. The overall construction duration is planned to be **200 calendar days**. These are estimated dates and durations and are subject to change. The cost for this project is estimated to be \$1.5 to \$2 million. This project will be subject to the requirements set forth in the Fairfax County Prevailing Wage Ordinance included as Attachment J in the Prequalification Application.

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:

DO NOT OPEN

**SEALED PRE-QUALIFICATION APPLICATION
WASTEWATER DESIGN AND CONSTRUCTION DIVISION
OAK MARR PUMP STATION REHABILITATION
PROJECT NO. WW-000001-017**

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. Submit One (1) original in a suitable binder. All pages should be consecutively numbered.
- 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. 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 title of the reference recorded. Applicants must provide functional and **current phone numbers** and contact information for every reference.
- 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 posted on-line 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 and conclusive 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 Constitution 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, **failure to list current phone numbers and contact information for references**, 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 the following criteria:
1. The Applicant must have been established as a full-time construction contractor for a minimum of ten (10) years holding or eligible to hold a Virginia Class A contracting license.
 2. The Applicant shall have acted as a General Contractor and have completed construction of at least three (3) similar wastewater pump station or treatment projects (rehabilitation or new construction) of similar scope, involving 24/7 operational phased construction in the last seven (7) years. Each of these projects shall have had a minimum original contract value of \$2,000,000 or more and have maintained continuous operation of a wastewater by-pass pumping system with flow exceeding 0.2 million gallons per day.
 3. Satisfactory performance as a general contractor within the past ten (10) years on projects similar in size, complexity, and scope including the ability to meet scheduled completion dates.
 4. Ability to obtain Performance and Payment Bonds in the amounts required for this project.
 5. Possession of a valid Class A Virginia Contractor's license prior to bid submission.
- 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, design-build 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 ten (10) 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 Section 5C above.
- C. Key Personnel: Information about the experience of the key personnel that the applicant plans to assign to this project.
- D. Contractor's License: A statement of applicant's ability to acquire a Virginia Class A Contractor's License, 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 EMR, 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 K shall be used.
- J. Prevailing Wage Ordinance: All bidders will be required to meet the Fairfax County Prevailing Wage Ordinance at the time of bid.

7. PROJECT EXPERIENCE

The pre-qualification application shall demonstrate the experience of the Applicant as a general contractor of new multipurpose buildings. 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 ten (10) years holding or eligible to hold a Virginia Class A contracting license.

2. The Applicant shall meet the minimum experience requirements described in Section 5C above.

B. Satisfactory experience in the General Contracting of similar scope and scope construction within the last ten (10) 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.

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 project 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 ten (10) years of experience for each key person on similar type work and in similar capacity as proposed for this Contract. Those key people who do not have ten 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.