



TOWN OF WILKESBORO, NORTH CAROLINA INVITATION FOR PREQUALIFICATION

WILKESBORO WWTP EXPANSION

Applications for Prequalification of Bidders for the below listed Bid Package will be received electronically until 2:00 p.m., local prevailing time on September 29, 2023, by Ulliman Schutte Construction, LLC.

Bid Package No. 1 – General Construction
Bid Package No. 3 – Electrical Work
Bid Package No. 4 – HVAC & Plumbing
Bid Package No. 6 – Site Paving
Bid Package No. 7 - Control Building

The Application for Prequalification package may be obtained at no charge in electronic format (.pdf) only, through the following contact information:

Travis DeMartini
Ulliman Schutte Construction, LLC ("CMAR")
14420 Albemarle Point Place, Suite 110
Chantilly, VA 20151
(703-953-6053)
tdemartini@ullimanschutte.com

There is no fee to obtain the Application for Prequalification package. Neither the Owner nor the CMAR will be responsible for full or partial sets of the Application for Prequalification package, including any Addenda, obtained from any other source.

Any questions regarding this Solicitation should be submitted in writing to Travis DeMartini, Ulliman Schutte Construction, LLC at tdemartini@ullimanschutte.com.

Bidders may be prequalified for one, any, or all the Bid Packages listed above. Bidders must be prequalified for the respective Bid Package to be eligible to submit bids and to have their bid considered on that Bid Package. The intent of this solicitation is strictly for pre-qualification and is not an invitation to bid. The Town reserves the right to reject any or all proposals, in whole or in part, as may, in the judgment of the Town, serve its best interest and to waive irregularities and informalities in any proposal submitted. The Town will not accept bids for the Bid Packages listed herein from Contractors who fail to submit timely Applications for Prequalification and from Contractors who fail to prequalify.

The Project or Work consists of the construction of new and modified wastewater treatment facilities including, Influent Pump Station, Headworks, Aerobic Granular Sludge Basins, UV Disinfection, Control Building and other related treatment plant facilities and upgrades.

The Town of Wilkesboro prohibits discrimination in any manner on the basis of race, color, creed, national origin, sex, age, handicap or sexual orientation and will pursue an affirmative policy of fostering, promoting, and conducting business with women and minority owned business enterprises.

The Project will be funded in whole or in part by the Clean Water State Revolving Fund (CWSRF). Applicable requirements of the CWSRF shall apply including, but not limited to, MBE/WBE (DBE) utilization, Davis-Bacon Act, and American Iron and Steel (AIS) provisions.

Prequalification evaluation criteria are included in the Application for Prequalification package.

GENERAL

Close coordination of construction activities with the CMAR's staff and the Town's operating staff will be required. The successful Bidder(s) will be required to furnish all labor, materials, equipment, tools, services and incidentals to complete the Work in accordance with the Contract Documents.

Neither the CMAR nor the Town shall be responsible for any costs incurred by applicants because of participation in this prequalification process. Each applicant shall bear its own expense in connection with the preparation and submission of materials and the provision of any supplemental information requested. The CMAR or the Town shall have no liability for costs incurred by applicants in connection with the review and evaluation of prequalification materials and any findings and determinations made therefrom. All materials and information submitted during the prequalification process will become the property of the CMAR and the Town and will not be returned to the applicant.

This is **not** a solicitation for bid. The decision to prequalify an applicant shall not constitute a determination that the applicant is responsible, and such applicant may be subsequently rejected as non-responsive based on subsequently discovered information. To qualify as the apparent low, responsive bidder during the bid process, bidder must have been prequalified through this process for the specific Bid Package.

PROCUREMENT LAW AND POLICY

Prequalification and bidding procedures will be governed by, and administered in accordance with, applicable law in the jurisdiction of North Carolina. The persons responsible for this prequalification, who comprise the Prequalification Committee as defined in the Town's policy, are identified below:

Wilkesboro Wastewater Treatment Plant Upgrades

Bid Agent:	Travis DeMartini, Ulliman Schutte Construction
Utilities Director:	Sam Call, Town of Wilkesboro
Purchasing Agent:	Mia Brown, Town of Wilkesboro
Engineer's Project Manager:	Wes Bramlett, PE, HDR, Inc.

APPLICATION REQUIREMENTS

The applicant must complete and submit a document containing the application and all associated forms and attachments in PDF format. This document comprises the Application for Bidder Prequalification (referred to herein as the "application" or "submittal"). The application shall be signed where indicated and uploaded to the CMAR via Building Connected.

Timely submission is the sole responsibility of the applicant. Responses received after the specified time and date may not be considered.

Applications shall be submitted electronically via Building Connected.

Responses to the RFQ must be typed or neatly printed. The information presented should be clear, complete, concise, and not misleading. All attachments submitted shall be identified with the name of the applicant. Failure to submit a response on the official forms provided for that purpose may be considered just cause for rejection of the response. Modification of any portion of the application for solicitation may be cause for rejection of the response. The Town reserves the right to decide, on a case-by-case basis, at its sole discretion, whether to reject such an application as non-responsive.

SEPARATE PREQUALIFICATION OF EACH BID PACKAGE

Applicants can choose to apply for prequalification for one, any, or all of the listed Bid Packages. For each Bid Package for which the Applicant is applying, provide copies of Attachment A and all relevant information to meet point-rating items one (1), two (2), and three (3). Point-rating items four (4) through eight (8) can be provided one time and do not need to be repeated for prequalification for multiple packages.

CONFIDENTIAL / PROPRIETARY INFORMATION

Applicants should give specific attention to the identification of those portions of their Statement of Qualifications, which they deem to be confidential, proprietary information or trade secrets, and provide any justification of why such materials, upon request, should not be disclosed by the Town under North Carolina public records laws. Applicants must clearly indicate each section that is deemed confidential, proprietary or a trade secret as required by statute. It is NOT sufficient to preface your entire Statement of Qualifications with a proprietary or confidential statement.

If the Town determines that a document that the Applicant has designated "confidential" or "trade secret" is not entitled to protection from public disclosure, the Town will provide notice of that determination to the contact person designated by the Applicant, in any reasonable manner that the Town can provide such notice, at least five (5) business days prior to its public disclosure of the document. If the Applicant does not designate anyone to receive such notice the Town will not have any obligation to provide any notice of a determination of non- confidentiality. If the Applicant does not designate anyone to receive such notice, or, if within five (5) business days after the designated person receives such notice the Contractor does not initiate judicial proceedings to protect the confidentiality of the document, the Town will not have any obligation to withhold the document from public disclosure.

By submitting to the Town a document that the Applicant designates as "confidential" or "trade secret", the Applicant agrees that in the event a third party brings any action against the Town or any of its officials or employees to obtain disclosure of the document, the Applicant will indemnify and hold harmless the Town and each organization's affected officials and employees from all costs, including attorney's fees incurred by or assessed against any defendant, of defending against such action. The Applicant also agrees that at the Town's request the Applicant will intervene in any such action and assume all responsibility for defending against it, and that the Applicant's failure to do so will relieve the Town of all further obligations to protect the confidentiality of the document.

SMALL DISADVANTAGED BUSINESS PARTICIPATION

Pursuant to North Carolina General Statutes §§ 143-128 and 143-131, the Town of Wilkesboro encourages and provides equal opportunity for certified Minority and Women-Owned Business Enterprise (MWBE) businesses to participate in all aspects of the Town's contracting and procurement programs to include - Professional Services; Goods and Other Services; and Construction. The Pre-Qualified Bidders will be required to identify the participation of MWBE businesses in their bid proposal, and how that participation will be achieved.

SAM.gov Requirements

All contractors and subcontractors shall register at SAM.gov and show proof and maintain active status through the bid process.

ADDENDA AND INTERPRETATIONS

All requests for interpretation of the RFQ and the associated application and attachments must be made in writing to the CMAR. Such requests will be addressed to Travis DeMartini, Ulliman Schutte Construction, LLC. Requests shall be made by email at: tdemartini@ullimanschutte.com. To be given consideration, such requests must be received by seven (7) days prior to the date fixed for submittal of the application. All such interpretations and any supplemental instructions or changes will be in the form of written addenda which, if issued, will be sent to all prospective applicants not later than two (2) days prior to the date fixed for submittal of the application. Failure of any applicant to receive any such addenda shall not relieve such applicant from any obligation under its application as submitted. All addenda so issued shall become part of the RFQ and must be acknowledged with the application.

NOTICE OF SUBSTANTIAL CHANGES

If the applicant experiences a material change in its debarment status, financial condition, corporate structure or personnel after the application is submitted and prior to the award of the contract for the project, the applicant shall notify the CMAR of the change in writing at the time the change occurs or as soon thereafter as is reasonably practicable but not more than seven (7) days after such change occurs.

Failure to notify the CMAR of any material change in the applicant's debarment status, financial condition, corporate structure, or personnel may constitute grounds for rescinding a "qualified to bid" rating or for rejection of a bid.

MISREPRESENTATION

If any applicant makes a misrepresentation in submitting information to the CMAR or the Town, or fails to provide all required information, or provides information that is misleading, such misrepresentation, omission or misleading information will be sufficient grounds for rescinding a "qualified to bid" rating or for rejection of a bid submitted as a result of this prequalification.

COLLUSION AMONG APPLICANTS

More than one response from an individual, firm, partnership, corporation, or association under the same or different name will be rejected. Any or all responses will be rejected if there is any reason for believing that collusion exists among the applicants. Participants in such collusion may not be considered in future bids for the same work. Each prospective Bidder, by submitting a response, certifies that they are not a party to any collusive action or to any action that is otherwise unlawful. Nothing in this section will preclude a firm acting as a subcontractor from being included as a subcontractor for two or more prime contractors submitting a response for the Work.

ANTICIPATED PROJECT TIMELINE

Invitation for prequalification advertisement	September 7, 2023
Last day to submit questions	September 22, 2023
Application Packages due	September 29, 2023
Notice of Prequalification Issued	October 13, 2023
Project Advertisement for Bid	October 23, 2023
Bid Opening	November 30, 2023
Present GMP to Town Council	January 8, 2024

Please note the above Project Timeline reflects what is currently anticipated and is subject to change at CMAR's or Owner's discretion.

EVALUATION

The CMAR and the Town reserve the right to waive any irregularities or informalities in the submittal, to reject any applications, and to accept the application(s) most favorable to the Town. In evaluating each application, the CMAR and the Town will consider, by way of illustration and not limitation, the criteria included in this section.

A. PASS/FAIL RATING ITEMS

An unsatisfactory rating on any item in the category titled "pass/fail rating items" will be considered sufficient cause to determine that an applicant is not qualified to bid. The following are pass/fail criteria:

- 1. Responsiveness to RFQ**
- 2. Debarment and Divestment Status**
- 3. Contractor's License**
- 4. Bonding Capacity/Statement**
- 5. Minimum Experience**
- 6. Possible Disqualification Clauses**

B. POINT-RATING ITEMS

The applicant must achieve a minimum total score of **80%** on the “point-rating items” to be prequalified. In considering a prospective bidder for prequalification, the Town shall be the sole judge of the criteria below, all of which indicate the ability to successfully complete the Project at the lowest possible cost to the Town in accordance with the Project Schedule.

The Applicant shall provide copies of Attachment A and all relevant information to meet point-rating items one (1), two (2) and three (3) for each Bid Package for which the Applicant is applying. Point-rating items four (4) through eight (8) can be provided one time and do not need to be repeated for prequalification for multiple Bid Packages.

- 1. Project Performance (20%)**
- 2. References (20%)**
- 3. Personnel Qualifications/Experience (15%)**
- 4. Financial Data (10%)**
- 5. Safety Performance (15%)**
- 6. Claims/Final Resolution / Judgments (10%)**
- 7. Failure to Complete - Applicant (5%)**
- 8. Failure to Complete - Partner/Officer (5%)**

GRADING SCALE

0 = Unfavorable, 1 = Questionable, 2 = Below Average, 3 = Average, 4 = Above Average, 5 = Most Favorable

APPLICATION FOR BIDDER PREQUALIFICATION

A copy of this page shall be the cover page for the application.

1. Applicant Name: _____

Provide all names under which the Applicant does business:

Is the Applicant related to another firm as a parent, subsidiary, or affiliate? Yes ____ No ____

If yes, attach names and addresses for all affiliated, parent and/or subsidiary companies, and state the nature of each affiliation.

2. Address:

3. Tax Identification Number (EIN/SSN): _____

4. Is Applicant a corporation? Yes _____, No _____

If yes, what is the State of incorporation? _____

5. If not incorporated, specify method and date of organization: _____

If a partnership or limited liability company, attach details (such as partner's/member's names and individual contact information for each partner/member). If a Joint Venture (JV), attach the JV agreement and provide details of the intended role of each JV member, including appropriate additional attachments (at a minimum an Attachment B for each JV member).

6. Initial if: Minority Owned: _____, Women Owned: _____, Neither: _____.

If so, provide, as attachment, any governmental certifications thereof.

7. Specify the portions of the Work, that the applicant expects to subcontract:

8. Provide contact information including name, title, phone number and email address of the person who can respond authoritatively to any questions regarding this application:

9. Applicant is applying for Prequalification for the following (check all that apply):

Bid Package No. 1 – General Construction []

Bid Package No. 3 – Electrical Work []

Bid Package No. 4 – HVAC and Plumbing []

Bid Package No. 6 – Site Paving []

Bid Package No. 7 – Control Building []

(Applicant can apply for qualification for multiple Bid Packages, if listed)

Signed by: _____

Printed name and title: _____

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A. PASS/FAIL RATING ITEMS

1. **Responsiveness to RFQ** – Only responsive applications will be considered and evaluated. A responsive application must be completed according to the instructions, include all required attachments and requested information and be comprised of, but not limited to the following:
 - Application For Bidder Prequalification
 - Attachment A: Details of Past Projects
 - Attachment B: Applicant Affidavit
 - All Additional information as needed to provide a complete response to the RFQ
2. **Debarment and Divestment Status** – Has the applicant, or any affiliate, ever been the subject of any of the following actions:
 - a. Debarment or DivestmentYes ____ No ____
 - b. Deletion from a Prequalified Bidders List.....Yes ____ No ____

If yes, provide details on a separate sheet for each instance.

If the applicant experiences a material change in its debarment status after the application is submitted and prior to the award of the contract for the project, the applicant shall notify the Town of the change in writing at the time the change occurs or as soon thereafter as is reasonably practicable. If at any time during the evaluation process the applicant is debarred as described above, it will be considered grounds for automatic disqualification.
3. **Contractor's License** – Attach a copy of the Applicant's North Carolina Contractors License, or provide a statement indicating Applicant's ability to acquire one before submitting a bid on the project. If a statement is required, the Applicant shall identify the states in which they are licensed for this type of work.
4. **Bonding Capacity / Statement** – Attach a signed statement from Applicant's Surety stating that, based on present circumstances, the surety will be willing to provide bid, performance and payment bonds for the applicant in connection with the Project.

Total bonding capacity	\$ _____
Available bonding capacity	\$ _____
Individual project bonding capacity	\$ _____
5. **Minimum Experience** (Provide on Attachment A) – The minimum experience requirement of the Applicant for prequalification for each respective Bid Package is successful completion of:
 - a. **Bid Package No. 1 – General Construction:** at least three (3) water or wastewater treatment plant projects, each having a contract value greater than \$15 million in the last ten years. One (1) of the aforementioned projects shall have included construction of a large (1 MG or larger) nutrient reduction wastewater treatment plant.
 - b. **Bid Package No. 3 – Electrical Work:** the Electrical work on at least three (3) water or wastewater treatment plants, industrial projects, or commercial, each having a contract value

greater than \$2.0 million in the last ten years. One (1) of the aforementioned projects shall have a contract value greater than \$2.5 million and one (1) shall be a water or wastewater treatment plant.

- c. **Bid Package No. 4 – HVAC and Plumbing:** the HVAC and Plumbing work on at least three (3) projects, each having a contract value greater than \$50,000 in the last ten years. One (1) of the aforementioned projects shall include the HVAC and Plumbing work on a water or wastewater treatment plant, industrial, or commercial project.
- d. **Bid Package No. 6 – Site Paving:** the asphalt paving on at least three (3) projects each having a contract value greater than \$150,000 in the last ten years. One (1) of the aforementioned projects shall have a contract value greater than \$500,000.
- e. **Bid Package No. 7 – Control Building:** at least three (3) commercial building projects, each having a contract value of greater than \$250,000 in the last ten years.

6. **Possible Disqualification Clauses**

An affirmative response to any of the following questions may result in disqualification of the contractor without regard to other information provided in this prequalification package. If your response to any of the questions below is “yes”, please explain on a separate sheet.

1. Have you or your organization ever been declared in default on any contract with any public body in accordance with the General Conditions and Supplementary General Conditions of that contract?

Yes _____ No _____

2. Have you or your organization ever submitted more than one bid for the same work from an individual, partnership, joint venture or corporation under the same or different names?

Yes _____ No _____

3. Have you or your organization ever colluded with other bidders or been disqualified because of evidence of collusion?

Yes _____ No _____

4. Have you or your organization ever declared bankruptcy or insolvency or been declared bankrupt or insolvent?

Yes _____ No _____

5. Have you or your organization ever failed to return overpayments to a project Owner as directed by the project Engineer on any public project?

Yes _____ No _____

6. Have you or your organization ever failed to comply with a written order of a project Owner or Engineer?

Yes _____ No _____

7. Have any subcontractors filed and been paid by a payment bond in the last seven years?

Yes_____ No _____

8. Have you or your organization failed to execute contract documents after receiving Notice of Award for any contract for any North Carolina public entity?

Yes_____ No _____

9. Are you or your organization or any affiliated entities debarred from submitting bids or have otherwise agreed not to submit bids on contracts with any government or business entity?

Yes_____ No _____

10. Have you or your organization had any Insurance claims in the past five years excluding personal injury and auto insurance?

Yes_____ No _____

B. POINT RATING ITEMS

***Provide items one (1), two (2) and three (3) below separately for each Bid Package prequalification is applied for.**

1. Project Performance*

Use a separate copy of Attachment A for each Bid Package. Provide details of projects as needed to demonstrate the minimum experience as defined above. During evaluation of project performance, emphasis will be placed on other recent projects of a similar size and nature to the projects being prequalified for herein, including applicant's ability to meet scheduled completion dates. Preference will be given to firms with management, manpower and expertise located in the mid-Atlantic region.

2. References*

Use a separate copy of Attachment A for each project to provide reference information. The CMAR and the Town intend to contact references listed in the application and may contact other potential references if referred to them in the course of this evaluation, or if the CMAR or the Town become aware of any other potentially pertinent references. The CMAR and the Town reserve the right to contact any party it deems appropriate and by submitting a response to this RFQ, the Applicant releases the CMAR and the Town and any references from all liability concerning this exchange of information. Applicants should ensure that the reference information provided is current. Letters of reference shall NOT be included in the response to this RFQ, since such letters do not follow a standard objective format.

3. Personnel Qualifications/Experience*

***For each Bid Package prequalification is applied for, provide proposed project organizational chart and attach resumes of key personnel.** The designated project manager and superintendent must have experience on projects of similar size and scope. Applicant must dedicate the proposed personnel to the project and may not make changes without written approval from the CMAR.

Also, submit a copy of the applicant's corporate organizational chart. Provide the quantity of employees identified by discipline and project with names and titles down through field superintendents. The qualifications of other personnel will also be considered in this evaluation. Emphasize years of construction experience, last employer, last position, and experience on similar projects.

4. Financial Data

- a. Submit your organization's most recent audited financial statements for a three-year period. Complete balance sheets and income statements must be included. The statements shall be enclosed in a separate sealed envelope and included in the application package. Data provided for parent or subsidiary entities related to the applicant firm in lieu of the applicant's data shall not be reviewed and shall be considered non-responsive.

- b. Has the applicant, or any affiliate, ever been denied bonding or had bonding revoked?

Yes _____ No _____

If yes, provide details on a separate sheet for each instance.

- c. Attach your company's IRS Form W-9 Request for Taxpayer Identification and Certifications

Financial data will be reviewed and compared to industry standards.

5. Safety Performance

- a. Experience Modification Rating (EMR) or Experience Modification Factor (EMF) for each of the past 5 years. If EMR/EMF is greater than 1.0 at any time during that time period, provide explanation of increased incidence rate.
- b. OSHA Days Away, Restriction or Transfers (DART) Rate for each of the past 5 years. If the average DART Rate is greater than 1.3 times the most recently published national rate for NAICS Code 23711 (water and sewer line and rated structures construction), provide explanation of increased incidence rate.
- c. A list of all OSHA citations levied during the past five years. Describe the infractions and indicate whether there was a warning or fine imposed and the dollar amount of each.
- d. Copies of OSHA Form 300 and 300A for each of the past five years.
- e. A list of all property damage claims that were paid out by the Applicant's insurance company during the past five years.
- f. A list of all personal injury claims that were paid out by the Applicant's insurance company during the past five years.

Safety data will be reviewed and compared to industry standards.

6. Claims/Final Resolution/Judgments

Have any of the following actions occurred on, or in conjunction with, any project performed by the applicant, any affiliate, or their officers, partners or directors in the last five years?

- | | | |
|----|--|--------------------|
| a. | Legal Action Implemented by Contractor against Owner | Yes _____ No _____ |
| b. | Legal Action Implemented by Contractor against Subcontractor | Yes _____ No _____ |
| c. | Legal Action Implemented by Owner | Yes _____ No _____ |
| d. | Legal Action Implemented by Subcontractor | Yes _____ No _____ |
| e. | Settlement or Close Out Agreement in effect with Owner | Yes _____ No _____ |
| f. | Judgments | Yes _____ No _____ |
| g. | Arbitrations | Yes _____ No _____ |
| h. | Liquidated damages assessed | Yes _____ No _____ |

If the answer to any of items a. through g. above is yes, provide details on a separate sheet for each instance.

Evaluation of this data will be based on the number of affirmative answers to the questions and the details provided in explanation for each occurrence.

7. **Failure to Complete - Applicant**

Has your organization ever failed to complete any work awarded to it? This includes termination for the convenience of the Owner or any other reason for failing to complete a project.

Yes _____ No _____

If yes, provide details on a separate sheet for each instance.

Evaluation of the applicant's failure to complete projects will primarily be based on the number of occurrences and the explanations for the failure to complete in conjunction with the references on those projects.

8. **Failure to Complete - Partner/Officer**

Has any officer or partner of your organization ever been an officer or partner of some other organization that failed to complete a construction contract or failed to complete a construction contract handled in his or her own name? This includes termination for the convenience of the Owner or any other reason for failing to complete a project.

Yes _____ No _____

If yes, provide details on a separate sheet for each instance.

Evaluation of the applicant's partners and/or officers' failure to complete projects will be primarily based on the number of occurrences and the explanations for the failure to complete in conjunction with the references on those projects.

**ATTACHMENT A
DETAILS OF PAST PROJECTS**

Use a separate copy of this form for each Bid Package. Provide details of projects that demonstrate that Applicant meets the minimum experience requirements described on Page 9.

1. **Contractor Name:** _____

If Contractor's Name is not the same as Applicant's name, state relationship (i.e. parent company, subsidiary, JV etc.):

Project Manager: _____

Superintendent: _____

2. **Project Name:** _____

Facility Name: _____

Project Location: _____

Contract # _____ Project # _____

3. **Owner:** _____

Address: _____

Contact Person: _____

Contact Title & Phone # _____ () _____

4. **Engineer:** _____

Address: _____

Contact Person: _____

Contact Title & Phone # _____ () _____

5. Construction Manager (if any): _____

Address: _____

Contact Person: _____

Contact Title & Phone # _____ () _____

6. **Contract Dates (completion dates should reflect substantial completion)**

Notice to Proceed: _____

Contractual Completion: _____

Actual Completion: _____

**ATTACHMENT A
(Cont'd)**

7. **Description of Project:** _____

8. Original Contract Value: \$ _____
Final Contract Value: \$ _____
Value of Change Orders to Date: \$ _____
Outstanding Claims to Date: \$ _____
9. **Bonding Company:** _____
Address: _____

Contact Person: _____
Contact Title & Phone # _____ () _____
10. **List the three largest subcontractors on this project in terms of percentage of participation.**
- a. Subcontractor: _____
Trade: _____ Participation: _____ %
Address: _____

Contact Person: _____
Contact Title & Phone # _____ () _____
- b. Subcontractor: _____
Trade: _____ Participation: _____ %
Address: _____

Contact Person: _____
Contact Title & Phone # _____ () _____

ATTACHMENT A
(Cont'd)

- c. Subcontractor: _____
- Trade: _____ Participation: _____%
- Address: _____
- _____
- Contact Person: _____
- Contact Title & Phone # _____ () _____

DO NOT INSERT REMARKS IN THIS AREA OR ATTACH LETTERS OF RECOMMENDATION.

**ATTACHMENT B
APPLICANT AFFIDAVIT**

The undersigned hereby attests under penalty of perjury and by personal knowledge to the following:

1. The contents of the Application for Bidder Prequalification (including all submitted attachments and other documentation) are true, correct, complete and not misleading.
2. To the best of my knowledge neither the Applicant, nor its agents, affiliates, partners, employees, officers, directors or other associates of any kind, have colluded with any individual or entity on behalf of the Applicant, or themselves, to produce an unfair advantage over others or to gain favoritism in the award of any contract resulting from this RFQ.
3. By responding to this RFQ and submitting the Application for Bidder Prequalification (also referred to as the submittal), the Applicant agrees to indemnify and hold harmless all parties to this RFQ, including, but not limited to, the Owner, the CMAR, and the Engineers for any conceivable damages arising therefrom; and affirms that no compensation is expected because of the preparation of said response.
4. Applicant agrees to use the submitted personnel for the duration of this project. Any changes in the submitted personnel must be approved in writing by the CMAR.

Applicant Name: _____

Officer's Signature: _____

Printed name and title: _____

Telephone No: _____

Affix Corporate Seal

Witnessed by: _____

Witness printed name and title: _____

Date Signed: _____