

## Ineligibility

The following examples represent, but are not limited to, circumstances where DAS will find an applicant ineligible:

1. Applicant is presently disqualified from bidding on state construction projects for violating any of the general form requirements set forth in [C.G.S. § 4b-95](#).
2. Within the past two (2) years (from the date of application), the applicant's prequalification certificate (under [C.G.S. § 4a-100 section 3](#)) was revoked after a finding that the applicant has included a materially false statement in the prequalification application and/or update statement.
3. Within the past five (5) years (from the date of application), the DAS has revoked the applicant's prequalification certificate (under [C.G.S. § 4a-100, section 3](#)) after a finding that the applicant has been convicted of a crime related to the procurement or performance of any public or private contract, or has otherwise engaged in fraud in obtaining or maintaining prequalification.
4. Applicant is presently disqualified by the Department of Public Works from bidding on, applying for, or participating as a subcontractor under contracts with the state under [C.G.S. §31-57c](#).
5. Applicant is presently disqualified by the Department of Transportation from bidding on, applying for, or participating as a subcontractor under contracts with the state under [C.G.S. §31-57d](#).
6. Within the past three (3) years (from the date of application), applicant, or any person or firm that has an interest in the applicant, has been cited (pursuant to [C.G.S. §31-57b](#)) for three (3) or more willful or serious violations of any occupational safety and health act or of any standard order of regulation promulgated pursuant to such act **that have not been abated**.
7. Within the past three (3) years (from the date of application), the applicant or any person or firm that has interest in the applicant, ever received one (1) or more criminal convictions related to the injury or death of any employee.
8. The applicant has had a legal or administrative proceeding of a serious illegal activity related to procurement or performance of any public or private construction contract(s) concluded adversely against the applicant.
9. Applicant has less than three (3) successfully completed public or private construction projects within each prequalification classification requested. **(These projects must have been solely contracted with the applicant company. Projects & Performance evaluations for Joint Venture projects are not accepted.)**
10. Applicant has an average score of 66.5% or less on the required written evaluations.
11. Within the past five (5) years, any of the applicant's principals or key personnel have been convicted of, entered a plea of guilty or nolo contendere for, or admitted to the commission of a criminal offense as an incident to obtain or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract pursuant to [C.G.S. §31-57c](#) and/or [C.G.S. §31-57d](#).
12. Within the past five (5) years (from the date of application), any of the applicant's principals or key personnel have been convicted of, entered a plea of guilty or nolo contendere for, or admitted to the commission of any state or federal law(s) for embezzlement, theft, forgery, bribery, falsification or destruction of records, received stolen property or any other offense indicating a lack of business honesty pursuant to [C.G.S. §31-57c](#) and/or [C.G.S. §31-57d](#).
13. Within the past five (5) years (from the date of application), any of the company's principals/key personnel have been convicted of, entered a plea of guilty or nolo contendere for, or admitted to the commission of any state or federal antitrust, collusion, or conspiracy law(s) arising out of the submission of bids or proposals on a public or private contract or subcontract pursuant to [C.G.S. §31-57c](#) and/or [C.G.S. §31-57d](#).
14. An applicant receives a failing overall score on the DAS Contractor Prequalification application.

The following examples represent, but are not limited to, circumstances where DAS **may** find an applicant ineligible:

15. Applicant's Experience Modification Rate (EMR) is greater than 1.50.

An Experience Modification Rate (EMR, Mod Rate) exceeding 1.5 may make you currently ineligible for prequalification in the State of Connecticut. For companies with an EMR in excess of 1.5, we require:

- A letter from your insurance agent on their company letterhead stating that claims resulting in this EMR have been or will be subrogated and,
- A calculation by the insurance company indicating what your EMR would currently be with these claims subrogated; a definition of subrogation follows:

***Subrogation:*** *The act of assigning or substituting the rights of one party to another in collecting a debt or claim, as an insurance company is assigned an insured's rights of recovery from a third party who has caused a loss.*