

**ONLINE CONTRACTOR PREQUALIFICATION APPLICATION
GENERAL INFORMATION AND INSTRUCTIONS**

Accessing the Online Prequalification Application System

The Department of Transportation has put into place appropriate safeguards to ensure that any business information stored in the Online Prequalification System is secure from destruction, corruption, unauthorized access and breach of confidentiality.

In order to access the system, you must create a user account. You can access the system through the internet using your company owned device (desktop computer, laptop, tablet, cellular phone) and software.

We recommend that your company take steps to protect their own devices, such as installing current anti-virus software and maintaining appropriate firewall protection. If your company does not take data security measures, the hardware and software that you use may be subject to unauthorized tracking or other manipulation by spyware or other malicious code. The Department of Transportation is not responsible for any errors or problems related to your company devices and/or software. Devices with internet capabilities are susceptible to viruses. Your company is responsible for making sure that the device you are using to access the Online Prequalification System is protected from and free of viruses, worms, Trojan horses or similar harmful components (collectively, referred to as 'viruses' which could result in destruction of data or unauthorized access to company data or could result in information being intercepted by a third party. The Department of Transportation will not be responsible or liable for any indirect, incidental, special or consequential damages that may result from such harmful components being present on your company devices. The Department of Transportation is not responsible for advising you of the existence or potential effect of such malicious components on you company's device.

Creating an account in the Prequalification System, you agree to take every precaution to ensure the security and integrity of your user account. You agree not to leave your company's device unattended while logged into Contract Prequalification System and to log off immediately at the completion of each access by you. You agree not to provide your password or other access information to any other person. If you do, we will not be liable for any damage caused to your company's data.

1. **GENERAL REQUIREMENTS** - Contractors must be prequalified by the Department in accordance with the State of Connecticut Department of Transportation Construction Contract Bidding and Award Manual, as revised, to be eligible to have their bid proposals reviewed and to be considered for award of a contract, unless otherwise stated in the Departments bid documents.

To be considered for prequalification, prospective bidders must complete and submit the Online Contractors Prequalification Application. Paper applications will no longer be accepted.

- a. To be eligible for prequalification, applicants must have been engaged in active business as a construction contractor for a minimum of one year under the name of the firm applying for prequalification, and **must provide a current one year, audited or reviewed financial statement (non-consolidated) for that firm.** If the financial statement is consolidated with other affiliates/subsidiaries of the applicant/firm, a consolidating balance sheet showing the allocation (breakout) of all the affiliates must be included in the financial statement. The financial portion of the statement may be based upon the contractor's most recently -completed fiscal year for which data is available. The Department reserves the right to require a more recent financial statement at any time, as deemed necessary and in the best interest of the State. For example, if a contractor with a fiscal year end of December 31, 2020 has applied for

prequalification in February 2021, the Department may prequalify the contractor based on the 2019 financial statement, but also require the contractor to provide the 2020 financial statement as soon as it becomes available.

- b. **Effective Period of Prequalification** - A Contractor's Prequalification Application/Statement (CON 16), when approved by the Department, will be valid for a period of up to three State Fiscal Years (July 1 – June 30), beginning with the initial approval date by the Department, as long as the Department receives the annual **Update Certification Form** as required. Failure to comply will result in the contractor's Prequalification Statement being placed in an inactive (on hold) status until the Department receives and approves the Update Certification Form.

Contractors with legal business names that begin with the letters A – K will expire on the same State Fiscal Year end date, while Contractors with legal business names that begin with letters L – Z will expire on an alternate State Fiscal Year end date. For example, all firms A-K will expire on June 30, 2021 and upon approval of a full application (renewal), will have a new expiration date of June 30, 2024 with Update Certification Forms due each June 1st of the interim years 2022 and 2023. For firms L-Z expiring on June 1, 2022, and upon approval of a full application (renewal) will have a new expiration date of June 30, 2025 with Update Certification Forms due each June 1st of interim years 2023 and 2024.

NOTE: First time applicants or applicants re-applying after letting their prequalification application lapse (expired and not renewed), when approved, will have an expiration date that coincides with their applicable alpha group (A-K or L-Z).

For example, if a Contactor with a legal name beginning with the letter A applies late in the 3 year application cycle (i.e. applies between January - April of 2021), and group A-K expires June 30, 2021, when approved, their application will expire June 30, 2021.

- c. In order to help ensure that contractors may become prequalified in time for the bid opening for a given contract, contractors should be certain to complete and submit the online application with all required information, signatures, financial statement, etc. to the Department at least thirty (30) calendar days before requesting a bid proposal form for that contract.
- d. **Annual Update Certification Form** - Prequalified contractors shall update their current approved Prequalification Application/Statement (CON 16) on an annual basis by submitting the online Update Certification Form including all requested information listed on the Form, due by June 1st of each year, excluding the full application year. The Certification Form and the required attachments, as applicable, must be submitted to and approved by the Department prior to the contractor being issued a Bid Proposal Form (Dept. approval of a Request for Bid Proposal – aka Part C).
- e. For corporations, a current Certificate of Authority (foreign corporation) or current Certificate of Incorporation (Domestic Corporation) whichever is applicable, is required to be on file with the Connecticut Secretary of the State.
- f. Limited Liability Companies (LLCs) must have been legally formed and organized in accordance with Connecticut General Statutes 34-110 to 34-242 and shall not be in default for failure to file its annual report with the Connecticut Secretary of the State.
- g. Documentation from the Connecticut Secretary of the State relative to the status of corporations and LLCs must be provided by the applicant if requested by the Department.

- h. Corporations related to each other through ownership interests or an interlocking directorate or in other significant respects, may not seek prequalification in combination, and may not submit consolidated financial statements in seeking prequalification. The legal independence of a corporation or joint venturer must be reflected in the presentation of information about its finances; e.g., in presenting the assets of an applicant corporation, one may include the value of the stock owned by the applicant in a wholly-owned corporate subsidiary, but not, for instance, the value of equipment owned by the subsidiary corporation. In addition, only organizations which the Department deems to be true construction contractors with respect to a classification of work for which they seek prequalification (i.e., organizations having sufficiently-experienced personnel, sufficient equipment and finances, etc. to perform construction work within that classification) may seek or be granted prequalification to bid for work within that classification. If the Department deems that a substantial portion of the resources of an organization seeking prequalification is devoted to activities other than construction work within the pertinent classification(s), the Department may make what it deems to be an appropriate adjustment of the organization's bidding capacity or of the classification(s) of work for which it is prequalified.
- i. If a subsidiary of a contractor wants to bid as an independent entity, that subsidiary must submit to the Department a contractor's prequalification application/statement based on the discrete finances and experience of that subsidiary. No so-called consolidated financial statements will be accepted for such subsidiaries, or for companies having a common owner.

2. REVISIONS TO APPROVED PREQUALIFICATION APPLICATION / STATEMENT – Including but not limited to, requests for additional work classifications, revisions to bonding capacity, company name changes, personnel changes, and general application changes.

- a. **General Application Revisions** – If changes occur to a contractor's approved application/statement, such as bonding capacity, key personnel, company name or address, authorized signatories, financial status, organizational structure or other application changes, the contractor must submit an online Revision Request to the Department for review and approval.
- b. **Requests for Additional Work Classifications** – Contractor's that are requesting to be prequalified for a new work classification that they were previously not qualified for or requesting to "graduate" to the next level classification, such as with the bridge and vertical construction classifications, must submit an online Revision Request to the Department for review and approval.

The information submitted shall include, but not be limited to; project history of self-performed work for those classifications requested, project owner contact information, reference letters or project evaluations, detailed description of specialized construction methods or equipment used to perform new work classification, list of key personnel and resumes justifying the requested work classifications, and any other information the Department deems as necessary.

In order to be approved for a particular work classification, contractors must demonstrate a working proficiency within the work classification being requested. The applicant must be able to provide sufficient detailed project descriptions of the work "self-performed" within the Work Experience/History section of the application.

- i. So that the Department has time to consider such a request prior to a scheduled bid opening, the Department requires that additional information supporting such a request be submitted to the Department a minimum of twenty (20) days prior to requesting a bid

proposal for the subject contract.

- ii. In any event, the contractor's bidding capacity may be adjusted, as determined appropriate by the Department and in the best interest of the State, whenever the contractor files a revised letter from a Surety Company, which satisfies the requirements of Section VI.D.5.b. of the Construction Contract Bidding and Award Manual, stating the revised aggregate work capacity for the contractor.
 - iii. The Department also may impose a "Project Bid Limit". "Project bid limit" means a monetary amount which may be set by the Department as an upper limit on the size of the contracts which a particular bidder shall be eligible to bid and be awarded within a given classification of work.
 - c. The Department may reduce or revoke the contractor's prequalification status at any time based on the contractor's performance record in regard to quality of work, timely completion, debarment by others, changed financial status, or other pertinent factors.
3. **CONFIDENTIALITY** – Contractor's statements and requests for bid proposal forms submitted to the Department may be subject to disclosure pursuant to the Freedom of Information Act. To the extent that a contractor claims otherwise, such a claim must be made at the time of the document's submittal to the Department, including in accordance with Conn. Gen. Stat. §1-210(b)(5)(A and B). Upon a Freedom of Information request for a contractor's prequalification statement or bid proposal request, the Department will evaluate whether the records claimed as trade secrets or commercial or financial information (or otherwise claimed as exempt from disclosure) meet the requirements of Conn. Gen. Stat. §1-210(b)(5) (or some other exemption from disclosure) and can be withheld.
4. **DEMOLITION** - Contractors and subcontractors engaged in demolition work must be certified as a Demolition Contractor by the Connecticut Department of Public Safety.
5. **OTHER BIDDING INFORMATION** - Bidding requirements and conditions are set forth in Section 1.02 "Proposal Requirements and Conditions of the State of Connecticut, Department of Transportation Standard Specifications for Roads, Bridges, and Incidental Construction, as revised and the State of Connecticut Department of Transportation Construction Contract Bidding and Award Manual, as revised.

No bidders that have mutual financial interests, or common ownership, directors, officers or principal shareholders (i.e., shareholders holding at least {5% } of either the common or the preferred shares of the company's stock) may bid for the same Department contract. Such proscribed bidders shall include, but not be limited to, affiliates and subsidiaries of each other. If any non-bidding party has an ownership interest in more than one bidder that is bidding for a given contract, either directly or through the former's ownership interests in another company, no matter how high up removed in a vertical or horizontal chain of ownership that party might be from the bidders, the bids of those bidders shall not be accepted. In addition, with respect to any given Department contract that is advertised for bidding, no bidder owned by, or in the chain of ownership of, a bonding company may bid against a bidder for whom a bond has been or will be provided by that bonding company for the given contract bidding.

Awards will be made only to bidders prequalified to perform the type of work required by the subject contract, and only if they have sufficient bidding capacity remaining after taking into account all outstanding work to be completed by the bidder. Bidders must have sufficient bidding capacity to be eligible for award of that contract.

The Department reserves the right to request additional information deemed necessary to substantiate documentation submitted in the CON-16.

APPLICATION INSTRUCTIONS

1. **GENERAL COMPANY INFORMATION AND CERTIFICATIONS** - The applicant must complete all fields in this section including the Certification of Contractor's Prequalification Statement and Certificate of Authority.
 - a. Certification of Contractor's Prequalification Statement – This statement must be completed and electronically signed by the authorized individual who holds the authorized signatory user ID for the online application system. This individual must be an authorized representative of the applicant.
 - b. Certificate of Authority – This statement must be properly completed and electronically signed by the authorized individual who holds the authorized user ID for the online application system. The form must list those individuals in your organization who have the authority to sign bonds, legal documents and contracts on behalf of your organization.
2. **INTEGRITY QUESTIONS** – The applicant must answer all questions and provide all the information as requested. Please use the upload button/feature as applicable.
3. **PERSONNEL / MANAGEMENT** – The applicant must identify the firm's officers, principals and other key personnel. Please use the upload button/feature to upload resumes.
4. **REQUEST WORK CLASSIFICATIONS** - The applicant must check the appropriate work classifications for which the firm is requesting to be prequalified for. In order to be prequalified for a work classification the applicant must provide detailed history of project descriptions, experience and work self-performed in the following section of the application entitled "Firm's Work Experience/History".

NOTE: The Department will determine the work classifications that the applicant is deemed qualified to bid and potentially receive awards of Department construction contracts.

5. **FIRM'S WORK EXPERIENCE / HISTORY** - List the principal projects your organization has currently underway and completed in the past three years (beyond three years if necessary) to justify the work classifications you are requesting. List the projects in chronological order beginning with the most recent project. Include detailed descriptions of the type of work self-performed by your firm for those work classifications you are requesting to be prequalified for. Work classifications that are requested and not clearly justified in the descriptions, will not be approved. Entering names of projects or vague descriptions of work are not acceptable. NOTE: Pictures of projects/work completed by your firm can be very helpful in determining what classifications you are qualified for. Please use the upload button/feature to upload pictures.

Include/upload detailed explanations of any of the following actions imposed on any projects.

- Penalties imposed on any projects
 - Claims filed on any projects
 - Stop Notices imposed on any projects
 - Necessary time extensions filed
6. **REFERENCE LETTERS UPLOADS** – Applicants must submit/upload, with their application, 3 recent letters of reference using the CTDOT standard reference letter form that is part of this prequalification application. **DO NOT ALTER THE FORM LETTER.** Letters must follow the format and instructions listed below and on the letter:

- a. Reference letters must be from construction project owners other than CTDOT. Contractors that have worked solely on CTDOT projects within the time period specified in section c. below are exempt from the reference letter requirement.
 - b. Letters must be dated, completed, and signed within 6 months of the receipt date of the application by DOT.
 - c. Letters must be project specific and based on projects that have been completed within 2 years of the receipt date of the application by DOT. There may be instances where the project is older than 2 years and the applicant is submitting the letter to justify a work classification.
 - d. Letters must indicate and should justify “work classifications” that the applicant is requesting to be prequalified for.
 - e. Applicants should not submit the same letters already submitted with a prior application.
 - f. If the applicant wants to provide further information regarding contractor performance, responsibility and integrity, please include this information with the reference letters. The Department reserves the right to request more reference letters directly from project/contract owners, at any time, including but not limited to, prior to award of contract, as deemed necessary and in the best interest of the State.
7. **FIRM’S CONSTRUCTION EQUIPMENT** - List construction equipment owned by the applicant; also show equipment age, condition, purchase price, and book value. For purposes of prequalification, the book value is defined as the purchase price minus the total accumulated depreciation. Depreciation must be calculated by those methods permissible by “Generally Accepted Accounting Principles”.
8. **FINANCIAL STATEMENT and BONDING LETTER UPLOAD** - The applicant must submit/upload the most recent audited or reviewed financial statement (non-consolidated) prepared by an independent Certified Public Accountant (CPA) and must conform with generally-accepted accounting principles (GAAP). If the financial statement is consolidated with other affiliates/subsidiaries of the applicant/firm, a consolidating balance sheet showing the allocation (breakout) of all the affiliates must be included in the financial statement. The financial statement shall include at minimum, the CPA's opinion statement, balance sheet, profit and loss statement, line(s) of credit information and all related notes.

BONDING / SURETY COMPANY LETTER REQUIREMENT – The Letter must be submitted/uploaded with the application.

The Department will determine the applicant’s maximum bidding capacity based on a letter provided by the applicant’s bonding company, which at a minimum, satisfies the following requirements:

- a. The letter must be from a bonding company that is listed on the current United States Department of Treasury’s listing of certified companies approved to issue bonding for federal construction projects (“U.S.Treasury list”) For a list of certified companies go to: <http://www.fms.treas.gov/c570/index.html>, under Updates, Certified Companies.
- b. The letter must be on the bonding company’s letterhead;
- c. The letter must state the full legal name of the surety company (if not noted on the letterhead), must be dated, and must be signed by an authorized individual.
- d. The letter must state the legal name and address of the applicant;

The letter must state the maximum value of construction work the applicant is capable of undertaking for all projects/work, both bonded and non-bonded (a/k/a “aggregate work capacity” or “maximum bidding capacity”). If only one amount is stated in the letter, that amount will be interpreted to mean the aggregate (total) of both bonded and non-bonded work.

The letter must set forth the contact information for the bonding company representative including the name, phone number and email address for such representative.

The maximum bidding capacity established by such letter cannot exceed the bonding company's underwriting limitation as set forth on the current U.S. Treasury list.

The applicant will be notified in writing of this determination.

9. **PAINTING REQUIREMENT** - Painting Contractors and subcontractors engaged in surface preparation and coating applications must be certified by the Society for Protective Coatings (SSPC) in accordance with contract provisions and must submit/upload proof of certification with this application.