



INVITATION FOR BID NUMBER AEPA IFB #008-C

ATHLETIC/RECREATIONAL FACILITIES INDOOR & OUTDOOR SYNTHETIC TURF FIELDS, PLAYGROUNDS, GOLF AND LANDSCAPE CONSTRUCTION, RENOVATION AND MAINTENANCE PRODUCTS AND SERVICES

Form D: Contractor's Qualifications (Tab 4)

This form is an expansion of the information request under Section D OF PART C – Offer Qualifications – Please provide your responses on this form and submit with your bid.

Provide documentation and information as requested relating to the history of your company that includes its' philosophy of doing business, its' background, expertise, experience, past performance and ability to provide the construction products and services proposed herein. Generally, AEPA will not accept an offer from a business less than five (5) years old or which has failed to establish a proven record of business. If the offeror has recently purchased an established business or has proof of prior success in either this business or a closely related business, provide written documentation and verification. AEPA reserves the right to accept or reject newly formed companies solely based on information provided in this response and from its own investigation of the company.

- 1) Organization
 - a. How many years has your organization been in business as a 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, answer the following:
 1. Date of incorporation
 2. State of incorporation
 3. President's name
 4. Vice-President's name(s)
 5. Secretary's name
 6. Treasurer's name
 - e) If your organization is a partnership, answer the following:

1. Date of organization
 2. Type of partnership (if applicable)
 3. Name(s) of general partner(s)
- f) If your organization is individually owned, answer the following:
1. Date of organization
 2. Name of owner
- g) If the form of your organization is other than those listed above, describe it and the name of the principals.
- h) Where are the headquarters of the company physically located? Provide address, city, state and zip code. Provide same information on any branch offices located in any of the other states. How long has your company resided at these locations? For what period of time and in what parts of U.S. has your organization provided the services/products requested in this solicitation?
- i) For the key individuals who will be marketing, consulting, estimating, coordinating supervising and managing before, during and after-sales services, warranty, maintenance, support services offered in response to this solicitation, in your response, provide a listing of and the qualifications of these key individuals. Provide the name, title, qualifications and experience in the area(s) of services that they will be providing.
- j) Describe your organization's current in-house workforce, equipment and facilities available to perform under this solicitation.
- 2) Licensing
- a) List the year in which your organization was first licensed as a contractor in any of the AEPA states?
 - b) List jurisdictions and trade categories in which your organization is legally qualified to do business, and indicate registration or license numbers, if applicable for each state.
 - c) List jurisdictions in which your organization's partnership or trade name is filed.
 - d) Provide copies of all current applicable state licenses and other registration information required by any of the AEPA states.
 - e) Has your organization or any of the qualifying parties named above ever conducted business, past or present, as a contractor under a different business name? If yes, what name(s) what state(s) and when?
- 3) Experience and Past Performance
- a) List the categories of work that your company normally performs with its' own forces.
 - b) Offeror must, through written documentation, demonstrate its ability to perform those services offered herein by providing prior experience with educational institutions. The documentation shall include:
 - a. For each product offered list one (1) previous project completed in ten (10) of the (21) twenty-one states which has been use by the owner for one or more years.

- b. The general scope of work for required for each project and the size and type of field installed.
 - c. The manufacturer's product used for each project listed.
 - d. The total cost of each project.
 - e. The institution's name, address, phone number, contact person's name and title for each project.
 - f. Provide the time line for each project listed and provide a brief narrative of the pre-sale and follow-up consulting services offered to ensure institution's satisfaction.
- c) Provide a brief narrative of three (3) projects that you have done for educational institutions, which through your evaluation of existing conditions and your input into the design, development and installation of the final solution, resulted in a high quality, cost efficient and better facility. For each project provide a brief narrative why you feel your input was most advantages to the final outcome.
 - d) List all projects within the last three (3) yours company has completed beyond the scheduled date of substantial completion and the number of days past the scheduled substantial completion date on which substantial completion was certified as indicated by owner and architect signature.
 - e) List all projects within the last three (3) tears that your company failed to complete the project, including all punch list items identified by the owner and/or owner's representative by the date agreed to by all parties.
 - f) In the last five years, has your company provided any warranties on a project and not been able to fulfill to the owner's satisfaction? If yes, for each describe the issues. For each include the following information:
 - 1) Project name
 - 2) Owner of the project
 - 3) Owner representative or contact
 - 4) Architect/Engineer (A/E)
 - 5) Date of substantial completion
 - 6) Type of warranty coverage
 - 7) Reasoning for inability to resolve, such as owner not fulfilling obligations
- 4) Insurance, Claims, Suits and Disputes
 - a) Provide with this RFB a copy of an existing Certificate of Insurance listing the minimum and maximum coverage for liability, vehicle and property damage. AEPA is not asking you to acquire additional or special insurance for the response. AEPA needs proof that you are insured. Before any work can commence, you must provide a certificate that names the owner as a certificate holder. Normally, this is a free service provided by an insurance company.
 - b) Provide written documentation and evidence relating to the surety company that will be providing payment and performance bonds for

projects performed under this solicitation. Please address the following:

- 1) Name, address, phone number and agent's name
 - 2) Letter from the surety company stating your firm's current bonding rate and your organization's total bonding capacity
 - 3) Has your company used this surety company for more than two (2) years? If no, please provide the names, addresses, phone numbers, contact names and dates under agreement with any other surety company used in the past three (3) years.
- c) Are there any judgments, claims, arbitration proceedings, suits or disputes pending or outstanding against your company or its' officers in any of the twenty-one AEPA states?
 - d) Has your company filed any law suits or requested arbitration with regard to construction contracts within the last three (3) years years?
 - e) If the answer to items c) or d) above is yes, please provide complete details, including but not limited to:
 - 1) Name and location of project owner
 - 2) Name and location of project architect
 - 3) Name and location of project
 - 4) Nature of and amount in dispute
 - 5) Forum in which dispute was presented, that is AAA arbitration; mediation; district court (state, file name, and number)
 - 6) Manner in which dispute was resolved
 - f) For the last three (3) years list any projects where your surety has been given notice of default of your company's performance under either its' performance bond or labor and material men's payment bond. For each project state the nature of the claim against your company and the outcome of each such claim.
 - g) Within the last three (3) years has any surety on any project you have worked on paid or settled work that your company had contracted to complete? If yes, give complete details.
 - h) Within the last yjtrr (3) years has your company been a party in civil litigation or administrative proceedings which have alleged a violation of any of the following: environmental law or regulation; law banning workplace discrimination; law governing wages, hours, labor or employment standards; conduct of occupations; law governing professions or regulated industries; or any other law which would reflect, if convicted, a lack of business integrity or honesty? If yes, give complete details.
 - i) Within the last three (3) years has your company had a tax lien filed against it by any taxing authority? If yes, provide the following: when, by what tax authority and has the lien been released? If no, describe action your company has taken with respect to the lien.
 - j) Within the last three (3) years has your company been debarred from bidding on or performing work for any public agency (federal, state or local public body) as a contractor or subcontractor? If yes, provide

complete details, including actions your company has taken to prevent such debarment in the future.

k) Miscellaneous items

- 1) Is the workers' compensation experience modifier for the company as reported by your insurer less than 2.0? If no, what is your reported E-Mod?
- 2) Is the incident/injury rate for your company as reported by your insurer less than the Bureau of Labor Standards published rate for any AEPA state?

5) Financial Resources and Banking Information

a) A major problem often facing companies awarded a AEPA contract is rapid growth, followed by cash flow difficulties. For purposes of determining a bidder's capacity and ability to perform financially, the offeror is asked to provide financial statement, preferably audited, including your company's latest balance sheet and income statement showing the following items:

- 1) Current assets (e.g. cash, joint venture accounts, accounts receivable, notes receivable, accrued income, deposits, materials inventory and prepaid expenses)
- 2) Net fixed assets
- 3) Other assets
- 4) Current liabilities (e.g. accounts payable, notes payable, accrued expenses, provision for income taxes, advances, accrued salaries and accrued payroll taxes)
- 5) Other liabilities (e.g. capital, capital stock, authorized and outstanding shares par values, earned surplus and retained earnings)
- 6) Name and address of firm preparing attached financial statement, and date thereof
- 7) Is the attached financial statement for the identical company named on page one?
- 8) If not, explain the relationship and financial responsibility of the company whose financial statement is provided (e.g. parent-subsidiary).
- 9) Provide written evidence or other documentation relating to your banking and/or lending institution. Include the following:
 - a) Names, addresses, phone numbers and contact names
 - b) Letters from listed financial/lending institution that indicates the amount of time your company has had a relationship with them.
 - c) Your line of credit available to you and evidence of financial stability over the past five (5) years. This letter does not need to identify a dollar amount. Instead, a credit range should be indicated, that is, "credit in the low six figures" or "a credit line exceeding five figures".

- 10) Will it be necessary for your firm to assign payments to a financial institution in order to perform under this contract? If so, please name any financial institutions that you may use for assignments or for factoring. If you enter into any assignment agreements, will you sign a notarized power of attorney that grants the company receiving the assignment the right to endorse payments from CES? Please attach a sample assignment or factoring agreement with your bid if you intend to use these financial services. The fact that a company uses these services will not reflect on the credit stature of the AEPA vendor. Since AEPA requires a 45-day term rather than the more traditional 30 days, such payment arrangements may be necessary.
- 11) Within the last seven (7) years has your company been the subject of any voluntary or involuntary bankruptcy, insolvency or receivership proceeding? If so, please state the case name(s) and court file number of each proceeding, the nature of the proceeding, whether such proceeding is ongoing and the resolution of each completed proceeding.
- 6) Describe your company's policies and procedures in regards to complying with various AEPA states mandate regarding security and background checks for individuals working and/or providing services within public school buildings. Please describe or provide a sample of the type of background check that you are willing and able to perform on your providers in order to comply with this requirement.
- 7) Has and does your company incorporate formal quality assurance and control processes on public works projects? If yes, describe the processes with their expected results and the benefits received by the owners by implementing such a program.
- 8) One of AEPA agencies functions is to act as Educational Cooperative and its members are the public educational institutions in the various states. The sole purpose of AEPA is to support these agencies in their day-to-day procurement. Describe in writing, your company's ability, willingness and means to sell, deliver, provide and support the proposed products/services to AEPA agencies under the most advantageous conditions including price. Do you currently have or plan to have such national, state or other contracts, that AEPA members might utilize and be in direct competition with the AEPA contract. If so, why do you wish to secure an AEPA contract and how would the AEPA contract be more advantageous to its members compared to other cooperative contracts?
- 9) This is an RFB and while AEPA is required to base an award strictly on the lowest price, any time a vendor charges more than another for a product or service, justification is needed. Every AEPA contract must be for the public good, not for the benefit of a vendor. However, having said that, AEPA is totally committed to two basics in the American way of business – profit and competition. Products and services offered herein must be of good sound quality, have good durability/ performance life and

stand up to public use. Please provide in writing, reasons why your products and services meet or exceed the minimum specifications and are worth the prices or fees you are charging. Is there “added value” received by the customer when purchasing through you rather than a competitor, or is your major benefit price alone?

- 10) In comparing previous projects your organization has completed, do you see any areas where your organization possesses experience, production or service facilities, personnel or other service reputation that should be considered with your ability to provide on time quality construction projects for New Mexico educational institutions? If yes, fully describe these attributes, resources and how they are utilized to benefit the owner’s projects.