

Office of Construction Prequalification *Information Session*

Kathy A Owens

Director of Finance & Management

James D. Bond

Deputy Director

Sean S. Fouts

Procurement Manager

Agenda

- ▶ What is prequalification?
- ▶ Effective date
- ▶ Who needs to be prequalified?
- ▶ Application Process
 - Application Submission
 - Evaluation and Scoring
 - Status Determination
 - Renewals
- ▶ Things to remember

What is prequalification?

- ▶ A bi-annual uniform process for evaluating potential bidders and subcontractors
- ▶ Prequalification of potential bidders and subcontractors is a separate process from the bid evaluation procedure
- ▶ Prequalification is separate from Contract Compliance (contact the Office of Diversity and Inclusion)

What is prequalification? Cont'd

Pursuant to Section 329.21(g), only potential bidders prequalified responsible or prequalified provisionally responsible may be awarded a contract for city construction service work.

Only licensed construction trade subcontractors prequalified responsible or prequalified provisionally responsible may subcontract or perform on city construction service work.

No business entity prequalified not responsible may receive or perform city construction service work.

Who needs to be prequalified?

- ▶ Potential bidders (primes)

- ▶ The following licensed construction trade subcontractors:
 - Heating
 - Ventilating and air conditioning
 - Refrigeration
 - Electrical
 - Plumbing
 - Hydronics
 - Fire protection and firefighting equipment

Prequalification is for construction service work only

Construction Prequalification Application Process

Application Review

Contact Information

- ▶ Complete page in its entirety
- ▶ Contact name is the person that will respond to contact from this office timely
- ▶ Check the appropriate request box
 - Licensed construction trade subcontract box applies only to the seven (7) licensed trades wishing to perform subcontract work only

Application Submission

- ▶ When: Accepted on a continuous basis (new and expired status applicants) or during the renewal period as indicated on the Certificate of Responsibility (renewals only)
- ▶ Where: Fax: (614) 645-5818
Email: prequalification@columbus.gov
- ▶ How: Fax or email only
- ▶ Download application: www.columbus.gov/prequalification.aspx

Applicants have seven (7) business days from the date of receipt of application to make any changes to the submitted application.

Evaluation & Scoring

Category A

Criteria 1 – 6

- ▶ All six (6) criteria in this category **must** be met
- ▶ To meet these criteria, you must be able to answer the criteria “true” (or check the appropriate exemption box(es)) **AND** submit the correct documentation for each criteria
- ▶ Failure to provide the correct supporting documentation or checking any criteria “false” will automatically result in the applicant being deemed **prequalified not responsible**

Criteria 1 – Workers’ Compensation

- ▶ Copy of current BWC certificate or the Certificate of Employer’s Right to Pay Compensation Directly (if self-insured)
- ▶ Expired certificates will not be accepted
- ▶ Records of payment of workers’ compensation benefits will not be accepted

Criteria 2 - Unemployment Compensation Policy

- ▶ Payments Applied to Quarter from Ohio Department of Jobs and Family Services (ODJFS) online account
- ▶ Letter from Ohio Department of Jobs and Family Services (ODJFS) stating that there is no outstanding balance. Letter can be no older than 30 days prior to the date it is received by the Office of Construction Prequalification
- ▶ **Out of state applicants:** Required to provide above referenced document and documentation from your state Unemployment Office stating/showing there is no outstanding liability with that office.
- ▶ Copy of liability insurance will not be accepted (applicants that have an Ohio workforce)

Criteria 3 – Bonding

- ▶ The notarized bonding affidavit
- ▶ A notarized letter from your surety company that is:
 - Signed by the surety company's Attorney-in-fact (Attorney-in-fact signature is to be notarized)
 - States the applicant's current and available bonding capacity
 - Dated within the last 30 days
 - Includes the Surety Power of Attorney
- ▶ Affidavits notarized by spouses and/or family members of officers of the company **will not** be accepted

Criteria 4 – Financial Statements & Criteria 5 – Debarment

- ▶ The notarized application affidavit
- ▶ Affidavits notarized by spouses and/or family members of officers of the company **will not** be accepted

Criteria 6 - City Taxes

- ▶ Construction Prequalification Letter
- ▶ Obtain this specific letter from the City of Columbus Income Tax Division (614-645-8368)
- ▶ Dated within the last 30 days prior to application submission
- ▶ Certificate and/or Letter of Good Standing issued by the State of Ohio will not be accepted

Category B

Criteria 7-11 (10 points each)

- ▶ Must meet **ANY** three (3) of the five (5) criteria in order to not be deemed prequalified not responsible
- ▶ To meet these criteria, you must be able to answer the criteria “true” **AND** submit the correct documentation for the criteria
- ▶ Failure to provide the correct documentation as stated and/or checking a criteria “false” will result in no points awarded for the criteria

Criteria 7 – Local Workforce

- ▶ At least 15% of Ohio full-time equivalent employees must reside in Columbus
- ▶ Reside in Columbus means the property is physically located within the city limits
- ▶ Hours used are from your previous fiscal year
- ▶ Verify all address you wish to submit:
 - Franklin County Auditor website:
<http://property.franklincountyauditor.com>
 - OR
 - City of Columbus Income Tax Division website:
<http://columbus.gov/incometaxdivision>

Calculation of Local Workforce

Your company's total hours of all Ohio employees totals 40,000. 35,000 of those hours are construction service (field) employees and 5,000 are from all "other" employees. Through address verification you have determined that 10,000 of construction hours are from employees that reside in Columbus and 2,000 of the "other" hours are from employees that reside in Columbus.

Calculation

Ohio construction service FTEs: $35,000$ (column 1A) / $1,280$ = **27.34** (column 1B)

Ohio "other" FTEs: $5,000$ (column 1C) / $2,080$ = **2.40** (column 1D)

Total Ohio FTEs: **27.34** (column 1B) + **2.40** (column 1D) = **29.74** (Column 1E)

Columbus construction service FTEs: $10,000$ (column 2A) / $1,280$ = **7.81** (Column 2B)

Columbus "other" FTEs: $2,000$ (column 2C) / $2,080$ = **0.96** (Column 2D)

Total Columbus FTEs: **7.81** (Column 2B) + **0.96** (Column 2D) = **8.77** (Column 2E)

% Ohio FTEs that reside in Columbus: **8.77** (Column 2E) / **29.74** (Column 1E) = **0.2949** (Column 3A) * 100 = **29.49%** (Column 3B)

Criteria 8 – Quality Training Contractor

- ▶ Criteria is specific to the licensed construction trade applicants
- ▶ If you do not employ licensed construction trade personnel, check the “exemption” box only
- ▶ Select only one option. Selecting multiple options will result in no points received for this criteria

Criteria 9 – Health Insurance

- ▶ Criteria only applies to benefits offered to construction service employees
- ▶ Answer criteria completely. Any missing information will result in no points awarded
- ▶ If employing union workers and policy dates are unknown, list the effective dates of the contracts
- ▶ Criteria can only be answered “true” if the employer and/or union pays a portion or all of the premium
- ▶ All documentation must be current

Criteria 10 – Retirement/Pension Program

- ▶ Criteria only applies to benefits offered to construction service employees
- ▶ Answer criteria completely. Any missing information will result in no points awarded
- ▶ If employing union workers and policy dates are unknown, list the effective dates of the contracts
- ▶ Criteria can only be answered “true” if the employer and/or union pays a portion or all of the premium
- ▶ All documentation must be current

Criteria 11 – Local Business

- ▶ Have current and fixed local occupancy as defined in the criteria
- ▶ Be a tax payer in good standing (see Criteria 6 Construction Prequalification Letter)
- ▶ Must meet the previous two requirements in its entirety in order to check criteria “true”
- ▶ Local is defined as being within the city limits of Columbus
- ▶ Must complete the Local Business Affidavit if you do not own the property

Category C

Criteria 12 – 19 (5 points each)

- ▶ Responses based on the last five (5) or ten (10) years from the date application is received in our office (fax or email)
- ▶ To meet these criteria, you must be able to answer the criteria “true” **AND** submit the correct supporting documentation for each criteria (if applicable)
- ▶ Failure to provide the correct documentation as stated and/or checking a criteria “false” will result in no points received for the criteria

Supporting documentation for Criteria 12 - 18

Criteria 12 - Debarment

Criteria 13 - Criminal Conviction

Criteria 14 - Civil Liability

Criteria 15 - City Litigation

Criteria 16 - Bond Claims

Criteria 17 - Liquidated Damages

Criteria 18 - Non-Discrimination

- ▶ Notarized application affidavit
- ▶ Affidavits notarized by spouses and/or family members of officers of the company **will not** be accepted

Criteria 19 – Socially Responsible

- ▶ A signed Memorandum of Understanding (MOU), contract or letter from a certified apprentice program that has an on-going contract with an employment service organization, or a contract with an employment services organization that includes:
 - A declaration on the part of the business that it intends to hire, retain, provide advancement opportunities to formerly incarcerated persons and/or displaced workers;
 - A commitment from the employment service organization to act as an intermediary between the business and the employee(s) whose employment stems from (A) in the event that human resource– related issues arise and the business requests assistance;
 - A thorough description of the job retention support services that the business and/or the employment service organization will provide (e.g. transportation, childcare, food assistance and wellness benefits, housing assistance, education and career training, mentorship and coaching, financial literacy training, etc.)

Category C

Criteria 20a–20j

- ▶ Responses based on the last five (5) years from the date application is received in our office (fax or email)
- ▶ Points awarded as follows:
 - 0–1 incident or violation – 10 points
 - 2–4 incidents or violations – 5 points
 - 5 or more incidents or violations – 0 points
- ▶ To meet these criteria, you must be able to answer the criteria “true” AND submit the correct documentation for each criteria (when applicable)
- ▶ Failure to provide the correct documentation as stated will result in you not receiving points for the criteria

Supporting documentation for Criteria 20a – 20c

Criteria 20a – Labor Standards

Criteria 20b – Prevailing Wage

Criteria 20c – Unemployment Compensation

- ▶ Notarized application affidavit
- ▶ Affidavits notarized by spouses and/or family members of officers of the company **will not** be accepted

Criteria 20d – Workers’ Compensation

- ▶ Submit Bureau of Workers’ Compensation coverage history
- ▶ If your coverage history indicates “lapsed” in the last five (5) years, you must check this criteria “false”
- ▶ BWC certificates will not be accepted (unless self-insured)

Criteria 20e – OSHA Unsatisfactory Judgment

- ▶ Violations reviewed are those that are record as “willful” and/or “serious”
- ▶ List all OSHA and OSHA–approved State plan violations
- ▶ Violations will be viewed for the entire company regardless of locations of other offices and project locations

Criteria 20f – OSHA Penalties

- ▶ Penalty assessments are counted even if there are no corresponding violations
- ▶ List all OSHA and OSHA–approved State plan penalty assessments
- ▶ Penalty assessments will be viewed for the entire company regardless of locations of other offices and project locations

Supporting documentation

Criteria 20g - 20j

Criteria 20g - Licenses

Criteria 20h - Worker Classification

Criteria 20i - Worker Identification

Criteria 20j - EPA

- ▶ Notarized application affidavit
- ▶ Affidavits notarized by spouses and/or family members of officers of the company **will not** be accepted

Category C

Criteria 20k – 20l (3 points each)

Criteria 20n (2 points)

- ▶ To meet these criteria, you must be able to answer the criteria “true” **AND** submit the correct documentation for each criteria (when applicable)
- ▶ Failure to provide the correct supporting documentation as stated and/or checking “false” will result in no points awarded points for the criteria

Supporting documentation

Criteria 20k, 20l and 20n

Criteria 20k – OSHA Plan

Criteria 20l – OSHA Log

Criteria 20n – Drug Free Workplace

- ▶ Notarized application affidavit
- ▶ Affidavits notarized by spouses and/or family members of officers of the company **will not** be accepted

Criteria 20m – Experience Modification Rating (EMR) (2 points)

- ▶ Current Experience Modification Rating from the State of Ohio Bureau of Workers' Compensation
- ▶ Letter from third party providing the current Experience Modification Rating (self-insured applicants)

Status Determination

Prequalification Status Determinations

- ▶ Prequalified Responsible (151–200 points)
- ▶ Prequalified Provisionally Responsible (131–150 points)
- ▶ Prequalified Not Responsible (130 points or less)

Notification of Status Determination

- ▶ Status determinations will be made within 30 calendar days from receipt of application
- ▶ All applicants will be notified via email
- ▶ Emails will only be sent to the contact person listed in application
- ▶ Notification will include:
 - Status determination letter
 - Scoring Matrix
 - Certificate of Responsibility (if applicable)

When does my status determination expire?

- ▶ Twenty-four (24) consecutive months immediately following the date of your status determination
- ▶ All potential bidders or licensed construction trade subcontractors deemed provisionally responsible, **must be deemed responsible** within twenty-four (24) consecutive months following the date of the original status determination
- ▶ All potential bidders or licensed construction trade subcontractors deemed not responsible, **must be deemed responsible** within twelve (12) consecutive months following the date of the original status determination

Changing your status determination to responsible

- ▶ Business entities have **two** opportunities to seek a status change once they have enough supporting documentation to submit for criteria which no points or full points were not received
- ▶ Submit additional supporting documentation to the Office of Construction Prequalification to meet additional criteria
- ▶ Supporting documentation must be accompanied by a memo on company letter head that:
 - Identifies the documentation being submitted as well as the prequalification criteria the documentation supports
 - Is signed by an authorized officer

What happens if I'm not deemed responsible during my status determination period?

- ▶ This shall not affect eligibility to continue a current contract or subcontract for City construction work
- ▶ An application for prequalification can be submitted once your current status determination expires; and
- ▶ You may not receive new City construction work or perform any portion of work on any new construction service project until you apply for responsibility prequalification and are determined to be prequalified responsible

Renewals

How do I renew my prequalification?

- ▶ Prequalification must be renewed bi-annually
- ▶ Renewal applications must be submitted thirty (30) calendar days prior to the expiration date of the current prequalification status and will not be accepted more than forty-five (45) calendar days prior to this expiration date*
- ▶ It is the sole responsibility of the business entity to maintain its prequalification status and submit a renewal application in a timely manner to avoid possible expiration of prequalification

***Applicant must be deemed responsible 30 calendar days prior to the expiration date to renew their status**

What happens if I do not submit my renewal application on time?

Original Status Determination: June 30, 2022

Status Expiration: July 1, 2024

Renewal Dates: May 17, 2024 (45 calendar days) through June 1, 2024 (30 calendar days)

If a new application is not received during the renewal period of May 17, 2024 through June 1, 2024, the earliest that an applicant can submit a new application is July 2, 2024.

Things to remember – The Do's

- ▶ Submit your application during your application renewal period (if applicable)
- ▶ Double check your application to ensure all questions have been answered and all supporting documentation is attached
- ▶ Make your application contact person the person that will respond to this office in a timely manner with any questions or concerns we may have regarding your application. This office will only communicate and/or make contact with the person listed in the application

Things to remember – The Do's *cont'd*

- ▶ Submit the supporting documentation as requested on Page 2 of the application
- ▶ Redact confidential information from supporting documentation
- ▶ Allow at least 30 days for your application to be processed

Things to remember – The Don'ts

- ▶ Do not send your application or any information requested by this office in a zip file
- ▶ Do not submit your application to this office multiple times
- ▶ Do not allow spouses and/or family members of officers of the company to notarize affidavits in the application
- ▶ Do not submit handwritten applications. We have made the application available in PDF fill-in format for your convenience
- ▶ Do not select more than one checkbox for each criteria

Important Contact Information

Office of Construction Prequalification
77 N. Front St., 5th Floor
Columbus, OH 43215

Phone: 614-645-0359
Fax: 614-645-5818

Email: prequalification@columbus.gov
Website: www.columbus.gov/prequalification.aspx

To obtain the Construction Prequalification Letter

City of Columbus Income Tax Division
77 N. Front St., 2nd Floor
Columbus, OH 43215

Phone: 614-645-8368
Fax: 614-724-0232

Website: www.columbus.gov/incometaxdivision

To obtain Contract Compliance information

Office of Diversity and Inclusion
1111 E. Broad St., Ste 203
Columbus, OH 43205

Phone: 614-645-4764
Fax: 614-645-6669

Website: www.columbus.gov/odi

QUESTIONS?