

CITY OF PORTSMOUTH, NEW HAMPSHIRE

ADVERTISEMENT FOR

PRE-QUALIFICATION OF CONTRACTORS

PEIRCE ISLAND WASTEWATER TREATMENT FACILITY UPGRADE

Separate sealed PREQUALIFICATION STATEMENTS for the construction of the **Peirce Island Wastewater Treatment Facility** will be received by **the City of Portsmouth** at the **Purchasing Department** until **2:00 P.M.** (Local Time) on **February 9, 2016**. The work includes replacement and upgrade of existing wastewater process equipment and construction of several new process buildings. The project is located at the existing Peirce Island Wastewater Treatment Facility on Peirce Island Road. Award of the construction contract is expected in the summer of 2016. The estimated construction cost is approximately \$65 million.

1. The project may be funded in part by the NHDES State Revolving Loan Fund. State and Federal provisions may apply.
2. The City will begin the bidding process following completion of the prequalification period. To be eligible to submit bid proposals, all individuals, firms, partnerships or corporations interested in bidding **MUST BE PRE-QUALIFIED**. Only pre-qualified contractors will be invited to bid.
3. The City reserves the right to reject any or all prequalification statements, to accept any prequalification statement, to waive any informality on statements received, and to take any action that it may deem to be in the best interest of the City.

Copies of the Prequalification Statements may be obtained from the City of Portsmouth's Purchasing Web Site at <http://cityofportsmouth.com/finance/purchasing.htm>. Purchasing questions can be directed to the Lori MacGinnis at 603-610-7227 or by email at purchasing@cityofportsmouth.com.

The Prequalification Statement may be examined at the following locations: Office of AECOM Technical Services, Inc. – 250 Apollo Drive, Chelmsford, MA 01824; Portsmouth Office of Public Works – 680 Peverly Hill Road, Portsmouth, NH 03801; Portsmouth Purchasing Department – 1 Junkins Avenue, Portsmouth, NH 03801,

Neither the City nor the Engineer will be responsible for full or partial sets of the statements obtained from any source. All costs associated with the preparation of the prequalification statement and bid proposals are the responsibility of the Contractor.

Note: Prequalification statements must be submitted in sealed envelopes addressed to **The City of Portsmouth Purchasing Department**, City Hall, 1 Junkins Avenue, Portsmouth, NH 03801 by the date and time specified.

**City of Portsmouth, New Hampshire
Purchasing Department
1 Junkins Avenue
Portsmouth, NH 03801**

**PRE-QUALIFICATION STATEMENT
Peirce Island WWTF Upgrade**

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PART 1 – PROJECT INFORMATION

1.1 PROJECT BACKGROUND

The Peirce Island Wastewater Treatment Facility (WWTF) was originally constructed around 1965 and consisted of primary treatment and disinfection. The plant was upgraded around 1990 with an aerated grit system, new primary clarifiers, a primary effluent sand filter system (currently out of service), an administration building, and sludge thickening, storage and dewatering. The plant was upgraded again around 2005 to provide chemically enhanced primary treatment (CEPT) with ferric chloride and polymer storage and feed systems and other miscellaneous improvements. More upgrades were made in 2015, and included the replacement of the primary clarifier equipment, replacement of Gravity Thickener No. 1 equipment, and modifications to the primary clarifier influent distribution box. The current treatment process consists of aerated grit chambers, chemically enhanced primary settling, and chlorination/dechlorination. Sludge is thickened in a gravity thickener and then temporarily stored in aerated sludge storage tanks before being dewatered by belt filter presses.

The City of Portsmouth has been issued a Consent Decree by the US Environmental Protection Agency (EPA) to upgrade the existing Peirce Island WWTF to provide secondary treatment. The Peirce Island WWTF Upgrade project will address the requirements of the Consent Decree, including providing nitrogen removal. A portion of the project is to upgrade existing equipment, systems, and facilities. Major WWTF additions include new headworks, a new gravity thickener, replacement of the existing administration building with a new solids building, a new two-stage biological aerated filter (BAF) system, and replacement of the existing solids processing building with a new operations/lab building. The estimated construction cost for the Peirce Island WWTF Upgrade project is \$65 million.

1.2 PROJECT LOCATION MAP AND SITE PLAN

Refer to the attached Figure 1 for a map of the project location. Refer to the attached Figure 2 for a current site plan.

PART 2 – STATEMENT OF QUALIFICATIONS

General Contractors interested in bidding on the Peirce Island WWTF Upgrade are required to complete the Pre-Qualification Statement below, and attach all required information.

2.1 GENERAL INFORMATION

Date: _____

Contractor Name: _____

Contact Person: _____

Street: _____ City: _____

State: _____ Zip: _____ Telephone: _____ Fax: _____

Email Address: _____

No proposal or bid for construction of this project will be accepted by a prospective bidder who is not pre-qualified. A Contractor shall not be considered pre-qualified until a complete Pre-Qualification Statement has been filed with the City and the City has identified the Contractor as pre-qualified. Pre-qualification of a Contractor will be based on evaluation of the information provided for this Pre-Qualification Statement and which includes the Contractor's experience in construction of similar projects, personnel qualifications, financial capability and bonding capacity.

DUTY TO UPDATE AND SUPPLEMENT: Should any changes occur which substantially alters the data contained herein, the above named Contractor shall immediately submit to the City a revised Pre-Qualification Statement detailing the changes and the Contractor's current qualifications.

RESERVATION OF RIGHTS

The City of Portsmouth reserves the right to terminate the Pre-Qualification process if it is deemed to be in the best interest of the City and offer this project as an open bid.

The City of Portsmouth reserves the right to reject any or all Pre-Qualification Statements, to waive technical or legal deficiencies, and to accept any Pre-Qualification Statement that it may deem to be in its best interest.

The City of Portsmouth reserves the right not to proceed with bidding the project. If the City bids the project, the City reserves the following additional rights:

- (1) to reject any and all bids;
- (2) to reject any bid where, in the opinion of the City, Contractor's circumstances have materially changed and such changes affect the qualifications or responsibility of the Bidder;
- (3) to require additional information or Contractor qualifications in any bid documents;
- (4) to waive technical or legal deficiencies; and
- (5) to accept any bid that it may deem to be in the best interest of the City.
- (6) The City reserves the right to waive minor irregularities in the information contained in the pre-qualification application submitted, to make all final determinations, and to determine if pre-qualification will apply to future public works project. Firms not prequalified for this project will not be allowed to submit bid proposals.

SUBMISSION OF PREQUALIFICATION STATEMENT

Pre-qualification statements must be submitted in sealed envelopes addressed to: Purchasing Department, City Hall, 1 Junkins Avenue, Portsmouth, NH 03801. The words "PRE-QUALIFICATION – PEIRCE ISLAND WWTF UPGRADE" must be clearly and legibly marked on the

outside of the envelope. Prequalification Statements must be submitted by: February 9, 2016 at 2:00 p.m. (local time).

The work to be bid is complex and of a highly technical and specialized nature. All potential bidders must become familiar with the work requirements. Preliminary (100% complete) Plans and Specifications are available for review at the City of Portsmouth's Public Works Department Office, 680 Peverly Hill Road, Portsmouth, NH 03801. These plans and specifications are not complete and should not be considered the final versions. However, the plans and specifications do show the types of work for which the Bidder must be qualified to perform.

2.2 THRESHOLD REQUIREMENTS OF QUALIFICATIONS

- A. Contractor is registered with the Secretary of the State to do business in New Hampshire.
 Yes No

- B. Contractor has (or can provide for project) a liability insurance policy with a policy limit of at least \$2,000,000 per occurrence and \$5,000,000 aggregate. The limits may be met with an excess policy.
 Yes No

- C. Contractor has current workers' compensation insurance policy as required by NH Administrative Rule RSA-281.A2.VIII.a or is legally self-insured pursuant to RSA-281.A2.IX (paragraph 1).
 Yes No Contractor is exempt from this requirement because it has no employees

- D. During review of the pre-qualification statement, the City reserves the right to request a financial statement from the contractor (audited, preferred, if available). In the event financial statements are requested and not provided, Contractor will be considered not meeting the threshold requirements and will be disqualified.

- E. Have you attached a notarized statement from an admitted surety insurer authorized to issue bonds in the State of New Hampshire, which states: (a) that your current bonding capacity is sufficient for the project; (b) your current available bonding capacity?
 Yes No

- NOTE: Notarized statement must be from the surety company, not an agent or broker.**

- F. Has a surety firm ever completed a contract on your behalf, or paid for completion because your firm was in default and terminated by the project owner?
 Yes No

- G. Has your firm, or any of its owners or officers ever been convicted of a crime involving the awarding of a contract for a construction project, or the bidding or performance of a construction contract?
 Yes No

2.3 ORGANIZATION HISTORY

1. Contractor Name _____

2. Principal/Permanent Address _____

Local Address (if applicable) _____

3. How many years has your firm been engaged in the contracting business under your present firm name?

4. How many years of experience in the following areas of construction:

Concrete

a. As a General Contractor: _____

b. As a Sub-Contractor: _____

Mechanical Installation

a. As a General Contractor: _____

b. As a Sub-Contractor: _____

5. **If a corporation, answer this:**

When incorporated: _____

In what State? _____

President's name: _____

Vice President's name: _____

Secretary's or Clerk's name: _____

Treasurer's name: _____

If a partnership, answer this:

Date of organization: _____

Is partnership general or limited? _____

Name and address of Partners: _____

If a Limited Liability Company, answer this:

Date of Organization? _____

Where Organized? _____

Is the LLC member managed or manager managed? _____

If member managed, identify the member: _____

If manager managed, identify the manager: _____

Name and title of Officers if any _____

6. Has there been any change in ownership of the firm at any time during the last three years?
NOTE: A corporation whose shares are publicly traded is not required to answer this question.

Yes No

If yes please explain:

7. Is the firm a subsidiary, parent, holding company or affiliate of another construction firm?
NOTE: Include information about other firms if one firm owns 50 per cent or more of another, or if an owner, partner, or officer of your firm holds a similar position in another firm.

Yes No

If yes please explain:

8. Are any corporate officers, partners or owners connected to any other construction firms?
NOTE: Include information about other firms if an owner, partner, or officer of your firm holds a similar position in another firm.

Yes No

If yes please explain:

9. Has your firm changed names in the past ten years?

Yes No

If yes please explain:

10. Has any owner, partner or (for corporations) officer of your firm operated a construction firm under any other name in the last ten years?

Yes No

If yes please explain:

11. Is your firm currently the debtor in a bankruptcy case?

Yes No

If "yes," please attach a copy of the bankruptcy petition, showing the case number, and the date on which the petition was filed.

12. Was your firm in bankruptcy at any time during the last ten years? (This question refers only to a bankruptcy action that was not described in answer to question 11, above)

Yes No

If "yes," please attach a copy of the bankruptcy petition, showing the case number and the date on which the petition was filed, and a copy of the Bankruptcy Court's discharge order, or of any other document that ended the case, if no discharge order was issued.

2.4 DISPUTES AND LEGAL

13. At any time in the last ten years has your firm been assessed and/or paid liquidated damages after completion of a project under a construction contract with either a public or private owner?

Yes No

If yes please explain. Identify all such projects by owner, owner's address, the date of completion of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.

14. In the last ten years has your firm been denied an award of a public works contract based on a finding by a public agency that your company was not a responsible bidder?

Yes No

If yes please explain. Identify the year of the event, the owner, the project and the basis for the finding by the public agency (Use additional sheets if needed):

NOTE: The following two questions refer only to disputes between your firm and the owner of a project. You need not include information about disputes between your firm and a supplier, another contractor, or subcontractor. You need not include information about "pass-through" disputes in which the actual dispute is between a sub-contractor and a project owner. Also, you may omit reference to all disputes about amounts of less than \$50,000.

15. In the past ten years has any claim against your firm concerning your firm's work on a construction project been filed in court or arbitration?

Yes No

If yes please explain. Identify the claim(s) by providing the project name, date of the claim, name of the claimant, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution):

16. In the past ten years has your firm made any claim against a project owner concerning work on a project or payment for a contract and filed that claim in court or arbitration?

Yes No

If yes please explain. Identify the claim(s) by providing the project name, date of the claim, name of the claimant, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution):

17. Has your firm or any of its owners, officers or partners ever been convicted of a crime involving any federal, state, or local law related to construction?

Yes No

If yes please explain. Identify who was involved, the name of the public agency, the date of the conviction and the grounds for the conviction:

18. Has any officer, director, member, owner, partner, or principal individual of your firm ever been convicted of any anti-trust violation, or been debarred from performing work on any contract?

Yes No

If so, please state name of individual and reason for such action:

Date of reinstatement (if reinstated): _____

19. Has the EPA, NHDES or any other regulatory sewer, water, stormwater, or other Water Quality Body cited and assessed penalties against either your firm or the owner of a project on which your firm was the contractor, in the past ten years?

NOTE: If you have filed an appeal of a citation and the Appeals Board has not yet ruled on your appeal, or if there is a court appeal pending, you need not include information about the citation.

Yes No

If yes please explain.

20. In the past ten years, has your firm ever failed to complete any work awarded to it in the scheduled contract time, including approved time extensions?

Yes No

If so, where and why?

2.5 BONDING, INSURANCE AND SAFETY

21. Submit bonding letter in accordance with Part 2.2 (Question #E). It shall be an unqualified letter from the bonding company to the effect that they will provide the required performance and payment bonds, each in the amount of 100 percent of the bid price, should the Contractor be awarded the contract. Also provide name, contact, telephone number, and address of the following:

a. BANK

b. BONDING COMPANY*

c. AGENT

* Bonding company must be registered and licensed to do business in the State of New Hampshire

22. Provide the following:

a. Bonding Capacity _____

b. Amount of work Currently Bonded: _____

23. List all other sureties (name and full address) that have written bonds for your firm during the last ten years:

24. Has your firm or any officer, director, member, owner or partner, or principal individual of your firm ever had a performance bond collected upon?

Yes No

If so, please explain:

25. During the last ten years, has your firm ever been denied bond coverage by a surety company, or has there ever been a period of time when your firm had no surety bond in place during a public construction project when one was required?

Yes No

If yes, provide details indicating the date when your firm was denied coverage and the name of the company or companies which denied coverage; and the period during which you had no surety bond in place.

26. In the last ten years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm?

Yes No

If yes please explain. Name the insurance carrier, the form of insurance and the year of the refusal:

27. Has any State or Federal OSHA cited and assessed penalties against your firm for any "serious," "willful" or "repeat" violations of its safety or health regulations in the past ten years?

NOTE: If you have filed an appeal of a citation, and the Occupational Safety and Health Appeals Board has not yet ruled on your appeal, you need not include information about it.

Yes No

If yes describe the citations, including information about the dates of the citations, the nature of the violation, the project on which the citation(s) was or were issued, the amount of penalty paid, if any. If the citation was appealed to the Occupational Safety and Health Appeals Board and a decision has been issued, state the case number and the date of the decision.

28. How often do you require documented safety meetings to be held for construction employees and field supervisors during the course of a project?

2.6 FINANCIAL RECORDS AND INFORMATION

29. If requested by the City during review of the pre-qualification statement, the Contractor shall submit their most recent audited or reviewed financial statements.

30. Identify all persons or entities that hold 25% or more of your firm's total notes receivable and indicate that person's or entity's relationship, if any, with your firm other than as debtor and the percentage for each.

NAME	RELATIONSHIP	PERCENTAGE

31. Identify all persons or entities that hold 25% or more of your firm's total notes payable, and indicate that person or entity's relationship, if any, with your firm other than as a creditor and the percentage for each.

NAME	RELATIONSHIP	PERCENTAGE

PREPARED BY:

Name of Individual Accountant or Officer

Complete Address of Accounting Firm (w/ zip code)

(Area Code) Telephone Number

34. Provide a list of all construction projects your firm has underway on this date. Include:
- a. Project name
 - b. Type of work
 - c. Contract amount
 - d. % Complete
 - e. % Subcontract work
 - f. Expected completion date
 - g. Engineer name, address, phone number, and email address
 - h. Owner's name, address, phone number, and email address
35. List all municipal, State or Federal water or wastewater treatment facility contracts your firm has worked on in the past ten years greater than \$20 million. Include:
- a. Owner's name, address, phone number, and email address
 - b. Type of work
 - c. Contract value
36. Provide a list of all of the projects your organization has completed in the last ten years. Include the following:
- a. Owner's name, address, phone number, and email address
 - b. Type of work
 - c. Contract value

2.8 REFERENCES

37. Name, contact person, telephone number, email address, and mailing address of five (5) **municipal officials** (not employed your firm) involved in current water or wastewater treatment facility contracts or contracts completed in the last ten years who can attest to the character, integrity, reputation, judgment, experience, and efficiency of your firm.

a. _____

b. _____

c. _____

d. _____

e. _____

38. Name, contact person, telephone number, email address, and mailing address of five (5) **engineers** (not employed your firm) involved in current water or wastewater treatment facility contracts or contracts completed in the last ten years who can attest to the character, integrity, reputation, judgment, experience, and efficiency of your firm.

a. _____

b. _____

c. _____

d. _____

e. _____

Nothing construed herein shall limit the City, or its authorized representatives, from contacting any and all former owners/clients, material suppliers, Engineers and other third parties with knowledge of the Contractor's history of performance, practices and reputation. Additionally, the City will also consider their past experience with the Contractor as a basis for prequalification and will include any recent history that will help determine the Contractor's Qualifications for his project. The existence of Release and Hold Harmless Statements directed to individual references as described above shall not be presumed to void or nullify the hold harmless language set forth in this document and included in Part 2.9.

Notes:

It is understood and agreed that all responses from references and others obtained by the City of Portsmouth, or its authorized representatives, shall be deemed confidential. If a Contractor receives negative references and the City has determined the Contractor not qualified based on such references, the City or its authorized representatives, upon written request by the Contractor, will provide a summary of the nature of those negative references without identifying the party providing such reference.

A Pre-Qualification Selection Committee of individuals acting on behalf of the Owner will review prepared statements submitted by the Contractor and references. A scoring sheet will be used to tabulate the information, and Contractor Pre-Qualification will be determined by the Committee based on the Contractor's work history and information provided.

2.9 CONTRACTOR’S PREQUALIFICATION STATEMENT

The undersigned, on behalf of the Contractor, certifies that the Contractor has not either directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with any contract on any municipal, state, or federal project.

I swear that all the statements herein contained, including the declaration of ownership and organization, the financial information, current workload, and the record of experience have been examined by me, and to the best of my knowledge and belief are true and correct.

On behalf of Contractor, I hereby authorize the City of Portsmouth, or its authorized representatives, to make such investigation, inquiry, checks and tests as the City, in its sole discretion, deems necessary to attempt to ascertain Contractor's qualifications.

On behalf of Contractor, I hereby waive any and all claims, and release and hold harmless any person(s) who provides the City, or its authorized representatives, with information or opinions held in good faith.

Signed _____

Title _____

Subscribed and sworn to before me this _____ day of _____, 201_

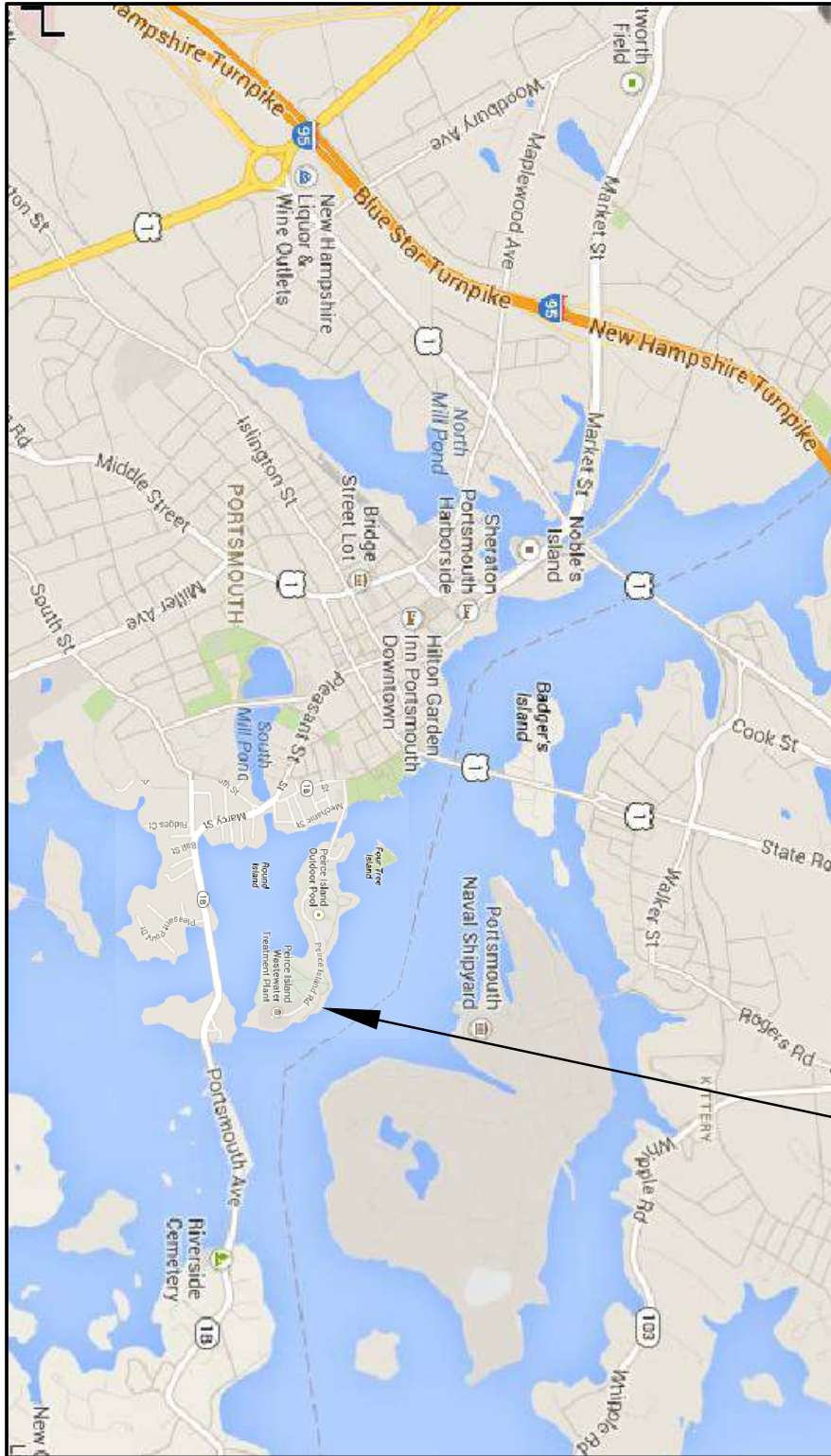
Notary Public or Justice of the Peace

NOTE: Contractor’s Prequalification statement must be accompanied by:

- **Letter from bonding company**
- **Only if requested, an audited financial report (or Balance Sheet referenced in Part III).**

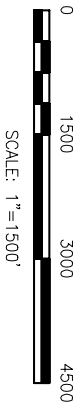
PART 3 – FINANCIAL BALANCE SHEET

A Financial Balance Sheet is not required unless specifically requested by the City during review of the prequalification submission as referenced in Part 2.2.D.



**PROJECT
LOCATION**

LOCATION PLAN
APPROXIMATE SCALE: 1" = 1500'



<p>FIGURE 1</p>	<p>PROJECT NO: 60301525</p>	<p>CITY OF PORTSMOUTH, NH DEPARTMENT OF PUBLIC WORKS</p> <p>LOCATION PLAN</p> <p>CONTRACTOR PREQUALIFICATION</p>	<p>AECOM</p> <p>AECOM TECHNICAL SERVICES 250 APOLLO DRIVE CHELMSFORD, MA 01824 PHONE (978) 905-2100</p>
	<p>CAD DWG FILE: FIG 1 CONTRACTOR PREQUALIFICATION</p>		
	<p>DESIGNED BY: E. MESSERVE</p>		
	<p>DRAWN BY: C. BENZIGER</p>		
	<p>DATE: JANUARY 5, 2016</p>		
<p>SCALE: AS NOTED</p>			



<p>FIGURE 2</p>	<p>PROJECT NO: 60301525</p> <p>CAD DWG FILE: CONTRACTOR PREQUAL</p> <p>DESIGNED BY: E. MESERVE</p> <p>DRAWN BY: C. BENZIGER</p> <p>DATE: JANUARY 5, 2016</p> <p>SCALE: AS NOTED</p>	<p>CITY OF PORTSMOUTH, NH DEPARTMENT OF PUBLIC WORKS</p> <p>SITE PLAN</p> <p>CONTRACTOR PREQUALIFICATION</p>
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	<p>AECOM TECHNICAL SERVICES 250 APOLLO DRIVE CHELMSFORD, MA 01824 PHONE (978) 905-2100</p>
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