

**SPECIFICATIONS
AND
QUALIFICATION DOCUMENTS**



**CONSTRUCTION EQUIPMENT RENTAL SERVICES
RFQ 2023-006**

DEPARTMENT OF PUBLIC WORKS

501 MAIN STREET SOUTH

SOUTHBURY, CONNECTICUT

MARCH 17, 2023

TABLE OF CONTENTS

Title Sheet	1
Table of Contents	2
Invitation to Submit Qualifications.....	3
Information for Applicants	4
Code of Ethics/Conflict of Interest Ordinance.....	6
Specifications	12
Submittal	15
Submittal Integrity	16
Code of Ethics/Conflict of Interest Agreement	17
Attachment A. Mandatory Statement of Qualifications	18
Part I. Essential Requirements for Qualification	18
Part II. Organization, History, and Organizational Performance; Compliance with Civil and Criminal Laws	20
Part III. Recent Construction Projects Completed	29
Attachment B. Contractor Safety Checklist.....	30
Attachment C. Contractor Inventory List	32

**INVITATION TO SUBMIT QUALIFICATIONS
CONSTRUCTION EQUIPMENT RENTAL SERVICES
RFQ 2023-006**

In accordance with its Procurement/Bidding Policy, the Town of Southbury is soliciting qualifications from experienced contractors to be prequalified to provide construction equipment rental services to the Town for work associated with the construction of public roads and similar projects throughout the Town. It is the intent of the Town to enter into a contractual agreement with one or several contractors to provide services on an as-needed basis.

Sealed submittals must be received by 10:00 AM, Tuesday, April 4, 2023 at the Office of the First Selectman, 501 Main Street South, Southbury, CT, 06488.

Specifications and RFQ documents may be obtained at the Office of the First Selectman at the above address or electronically on the town's website at www.southbury-ct.org/bids.

RFIs (Requests for Information) concerning the project should be emailed to Matthew Tarnowski, Public Works Project Administrator, at MTarnowski@southbury-ct.gov. RFIs should be received by March 24. Emails may not be directly responded to. If necessary, an addendum will be posted to the Town of Southbury's website at the link above by March 29.

The Town of Southbury reserves the right to reject any and all submittals in whole or in part or to waive any informality in submittals if it is determined to be in the best interest of the Town of Southbury.

Jeffrey Manville
First Selectman
March 17, 2023

INFORMATION FOR APPLICANTS

1. PROPOSAL. Qualification packages are being sought for construction equipment rental services. All work shall be furnished in full accordance with the specifications.
2. RECEIPT AND OPENING OF SUBMITTALS. Separate sealed submittals shall be received in the **Office of the First Selectman**, 501 Main Street South, Southbury, Connecticut, 06488, until the time and date stated in the INVITATION TO SUBMIT QUALIFICATIONS. All submittals shall be submitted in sealed, opaque envelopes clearly labeled with the name of the applicant, his address, and the words **“RFQ 2023-006 – Construction Equipment Rental Services”** so as to guard against opening prior to the time set therefore. **One original and two copies** of all qualification packages shall be submitted. Submittals may be forwarded by mail. If mailed, the sealed opaque envelope containing the submittal, marked as described above, shall be enclosed in another envelope properly addressed for mailing. The Town may consider informal any submittal not prepared and submitted in accordance with the provisions hereof and may waive any informalities in or reject any and all submittals. Any submittal may be withdrawn prior to the above scheduled time for the opening thereof.
3. PREPARATION OF SUBMITTALS. Each submittal must be submitted on the prescribed form and all blank spaces must be filled, handwritten in ink or type written.
4. WITHDRAWAL OF SUBMITTALS. Submittals may be withdrawn personally or on written or telegraphic request dispatched by the applicant in time for delivery in the normal course of business prior to the time fixed for opening, provided that written confirmation of any telegraphic withdrawal over the signature of the applicant is placed in the mail and postmarked prior to the time set for opening. Negligence on the part of the applicant in preparing his submittal confers no right of withdrawal or modification of his submittal after such submittal has been opened.
5. FAMILIARITY WITH LAWS, SITE CONDITIONS AND DOCUMENTS. Each applicant is required to be familiar with and to comply with the terms and conditions of the specifications and all other RFQ documents and with all applicable laws, regulations, ordinances, OSHA, codes and orders of the United States, the State of Connecticut, and the Town which in any manner relate to the furnishing of the services in accordance with the RFQ and specifications. Each applicant shall thoroughly familiarize himself with all conditions of the RFQ documents and specifications before preparing his submittal. The submission of a qualification package shall be construed as an assurance that such examination has been made and the failure of the applicant to familiarize himself with conditions relating to the specifications shall not in any way relieve any applicant from any obligation in respect to his submittal.
6. QUALIFICATIONS OF APPLICANT. Applicants must be regular full time contractors in the type of service specified. The Town may make such investigations as it deems necessary to determine the ability of the applicant to perform the work, and the applicant

shall furnish to the Town all such information and data for this purpose as the Town may request. The Town reserves the right to reject any submittal should the evidence submitted by, or investigation of, such applicant fail to satisfy the Town that such applicant is properly qualified to carry out the obligations of the RFQ and to complete the project contemplated therein. Conditional submittals will not be accepted.

7. **ERRORS, INTERPRETATIONS, AND ADDENDA.** Should an applicant find any omissions, discrepancies or errors in the specifications or other RFQ documents or should he be in doubt as to the meaning of the specifications or other RFQ documents, he should immediately notify the Town who may correct, amend or clarify such documents by a written interpretation or addendum. No oral interpretations shall be made to any applicant and no oral statement of the Town shall be effective to modify any of the provisions of the RFQ documents.

8. **PRELIMINARY SCHEDULE.**

RFQ Release	March 17, 2023
RFI Deadline	March 24, 2023
Addendum Release (if necessary)	March 29, 2023
RFQ Submission Date	April 4, 2023

CODE OF ETHICS/CONFLICT OF INTEREST ORDINANCE

A. DEFINITIONS. The following definitions shall apply to this Ordinance:

- a. Public Official (or Public Office). An elected or appointed official, whether paid or unpaid, full or part-time, of the Town of Southbury. This includes being a member or alternate member of any board, committee, commission or agency that exists in the Town of Southbury government.
- b. Town Employee (or Town Employment). A paid employee, full or part-time, of the Town of Southbury.
- c. Ethics Commission. The Town of Southbury Commission on Ethics as authorized by Section 7-148h of the Connecticut General Statutes.
- d. Conflict of Interest. A conflict of interest shall be deemed to exist if any Public Official or Town Employee has a Direct Interest or an Indirect Interest, in any purchase, contract, transaction, or decision involving his/her office, board, commission, agency or employment.
- e. Direct Interest. An interest of a Public Official or Town Employee or any business, investment, or property in which such Public Official or Town Employee is an owner, member, partner, officer, employee or stockholder or has any other form of participation, that is a Financial Interest or an Adverse Interest in any purchase, contract, transaction or decision involving his or her office, board, committee, commission, agency or employment.
- f. Indirect Interest. An interest of a family member within the fourth degree by blood or marriage or a person engaged in a close business relationship with a Public Official or Town Employee in any purchase, contract, transaction or decision involving the Public Official's or Town Employee's office, board, committee, commission, agency or employment which, if held by the Public Official or Town Employee directly, would meet the definition of a Direct Interest.
- g. Financial Interest. A Financial Interest shall be deemed to exist if a person or entity with a Direct Interest or an Indirect Interest as defined herein might, directly or indirectly, derive pecuniary or financial gain or suffer loss from any Town purchase, contract, transaction, decision or employment.
- h. Adverse Interest. An interest that is adverse to the interests of the Town with respect to the matter under consideration.
- i. Material Conflict of Interest. A conflict of interest shall be deemed to be material where a reasonable person would conclude that a Financial Interest or Adverse Interest:
 - i. Is incompatible, or would to a reasonable person appear to be incompatible, with the proper discharge of official duties; or
 - ii. Would tend to impair, or would to a reasonable person appear to impair, independence of judgment and action in the performance of official duties.

B. DECLARATION OF POLICY.

The proper operation of the government of the Town of Southbury requires that Public Officials and Town Employees be independent, impartial and responsible to the people; that governmental decisions and policies be made in the proper channels of the government structure and free from coercive or other improper influence; that Public Officials and Town Employees not use their positions for personal gain; and that the general public have confidence in the integrity of its government.

This Ordinance sets forth standards of ethical conduct to maintain and enhance responsible and effective public service by our Public Officials and Town Employees in the performance of their duties.

In the interest of ensuring that concerns regarding possible conflict of interests are promptly raised, this Ordinance permits a concern that a conflict of interest may exist to be raised by any person, regardless of whether the person would be considered an aggrieved party as that term is interpreted under Connecticut law. Any failure to observe the procedures set forth in this Ordinance shall not, however, afford a basis for an action for damages against the Town, any Town board, committee, commission, agency or employee, or any member of any Town board, committee, commission, or agency, or for challenging a decision, license, permit or other action of a Town Employee, board, committee, commission or agency or member of same by a person who would not, but for the provisions of this Ordinance, have standing to bring such an action.

C. DISCLOSURE OF CONFLICT.

Any Public official or Town Employee who has a conflict or potential conflict of interest as defined herein, whether or not such conflict or potential conflict is material, shall disclose the interest causing such conflict or potential conflict in writing to the Board of Selectmen.

Any Public Official or Town Employee who is a member of any Town board, committee, commission or agency who has a conflict or potential conflict of interest as defined herein, whether or not such conflict or potential conflict is material, shall, in addition to the disclosure required by this Ordinance, disclose the interest causing such conflict to such board, committee, commission, or agency and such disclosure shall be recorded in the board's, committee's, commission's or agency's minutes.

D. DETERMINATION OF MATERIALITY.

In the event that a disclosure or a claim of a conflict of interest with respect to any Public Official or Town Employee has been made to the Ethics Commission, and the Public Official or Town Employee does not disqualify himself/herself from matters with respect to which the conflict of interest allegedly exists, the Ethics Commission shall promptly inquire into the facts of the matter and determine whether or not a conflict exists and if so, whether it is material.

In the event that a disclosure or a claim or a conflict of interest with respect to any Public Official or Town Employee who is a member of a Town board, committee,

commission or agency has been made to such board, committee, commission, or agency and the member does not disqualify himself/herself from matters with respect to which the conflict of interest allegedly exists, the board, committee, commission or agency shall forthwith determine by a majority of those members present, excluding the member whose interest is in question, whether or not a conflict exists and, if so, whether it is material.

E. DISQUALIFICATION.

If it has been determined that a material conflict of interest exists, the Public Official or Town Employee who has the conflict shall be disqualified from discussing or acting upon any matter encompassed by that conflict of interest, and shall leave the room during any public hearing, discussions or deliberations regarding the matter. Any Public Official or Town Employee may disqualify himself/herself even though the conflict of interest is not material.

F. CLAIM OF CONFLICT.

If a formal written complaint is made to the Ethics Commission that any Public Official or Town Employee has an undisclosed conflict of interest, the Ethics Commission shall record and act upon the claim in accordance with its procedures as outlined in Section J.

G. GIFTS AND FAVORS.

No Public Official or Town Employee shall accept or receive, directly or indirectly, anything of value (whether by rebate, gift, promise, obligation or contract for future reward or compensation or otherwise) for awarding or influencing the award of any decision, permit, license, contract or purchase order by the Town. Anything of value when in the form of a gift shall not be deemed relevant if the actual cost of that item is less than \$25.00.

H. REPRESENTATION.

Without the prior written consent of the Ethics Commission, no Public official or Town Employee shall appear for compensation, except on behalf of the town, before any Town board or agency in which he/she was formerly employed or served as an official at any time within a period of one (1) year after termination of his/her service with the Town.

Without the prior written consent of the Ethics Commission, no current or former Public Official or Town Employee shall represent anyone other than the Town concerning any particular matter in which he/she participated personally and substantially while in municipal service.

No current or former Public Official or Town Employee shall disclose or use confidential information acquired in the course of and by reason of his/her official duties, for personal and/or financial gain for himself/herself or others.

No former Public Official or Town Employee who participated substantially in the negotiation or award of municipal contract or who supervised the negotiation or award of such a contract shall accept employment with a party to the contract other than the Town for a period of one (1) year after such contract is signed.

I. INDEPENDENT CONTRACTORS.

Before hiring any consultant, independent Contractor or other advisor, the Public Official, Town Employee, board, committee, commission or agency that proposes to hire the independent Contractor shall inquire whether the independent Contractor has any conflict of interest as that term is defined in this Ordinance or as defined in any code of ethics or similar code applicable to the independent Contractor. Any such conflict shall be specified in the appropriate Town records (such as minutes of any relevant board, committee, commission, or agency).

Prior to hiring any independent Contractor with a conflict, the Public Official, Town Employee, board, committee, commission or agency proposing to hire the independent Contractor must make a determination that the conflict is not material and/or that despite the conflict, the independent Contractor should be hired. The decision and the reasons therefore must be a matter of public record.

No consultant, independent Contractor or other advisor of the Town shall represent a private interest in any action or proceeding against the interest of the Town which is in conflict with the performance of his/her duties as such consultant, independent Contractor or advisor. No consultant, independent Contractor or advisor may represent anyone other than the Town concerning any matter in which he/she participated personally and substantially as a consultant to the Town. Neither shall such consultant, independent Contractor or advisor disclose confidential information acquired while performing his/her duties for the Town, nor shall he/she use such information for the personal and/or financial interests of himself/herself or others.

J. PROCEDURE.

All claims pertaining to a violation of this Ordinance shall be made, in writing, to the Ethics Commission in accordance with the rules and regulations promulgated by that Commission which shall be found in the Town of Southbury Ethics Commission Statement of Procedures. These rules shall require the Complainant to specify the facts that gave rise to his/her claim and the specific provision of this Ordinance that has been breached on a Form provided by the Ethics Commission. The Ethics Commission may, but is not required to consider claims made against individuals who are former Public Officials or Town Employees. Any allegations and any information learned, supplied to or received from or by the Ethics Commission shall remain confidential until a finding of Probable Cause is determined by the Ethics Commission.

The Ethics Commission is authorized to issue advisory opinions at its discretion.

K. PENALTIES.

Any person who violates any of the provisions of this Ordinance may be censured or reprimanded or may be suspended or removed from Public Office or Town Employment, as the case may be, in the manner provided by law as recommended by the Ethics Commission with action by the Board of Selectman.

Any violation of this Ordinance shall render any purchase, contract, or transaction or any part thereof affected thereby voidable as recommended by the Ethics Commission with action by the Board of Selectmen.

Any violation of this Ordinance with respect to any decision of a board, committee, commission or agency shall be subject to any remedies deemed proper as recommended by the Ethics Commission with action by the Board of Selectmen and permitted by law.

The penalties provided above are in addition to any other penalties provided by law to address violations of the provisions of this Ordinance.

L. CONCURRENT OFFICES.

No Town Employee shall serve on any board, committee, commission or agency to which the Town Employee reports or acts as staff, except as otherwise stated in the Town Charter or Ordinances. Notwithstanding the foregoing, a Town Employee may serve on any board, committee, commission or agency in an advisory capacity.

Except as otherwise provided in the Charter or by Ordinance, the First Selectman, the Selectmen, the Town Clerk, members of the Board of Finance and members of the Ethics Commission shall hold no other Public Office, and the provisions of Section 9-210 of the General Statutes concerning incompatible Town offices shall apply to the officers described therein.

The restrictions set forth in Section L. 1 and Section L. 2 shall not apply to membership on any temporary or advisory only committee, task force, working group, or the like.

Subject to the restrictions set forth in applicable law, or by the Charter or by Ordinance, and in Section L. 2 of this Ordinance, nothing in this Ordinance shall prevent the appointment of the same person to more than one Public Office, provided the offices are not incompatible, provided the duties of the offices to which he/she is appointed may, in the opinion of the Ethics Commission, be satisfactorily fulfilled by one person, and provided further that inability to fulfill satisfactorily the duties of all offices to which he is appointed shall be cause for removal from any one or more of said offices.

M. MEETINGS.

Members Attendance. Public Officials who are members of boards, committees, commissions, and agencies are expected to attend all meetings of such boards, committees, commissions and agencies or attend meetings in accordance with the by-laws or other duly adopted rules of the group to which they belong. However, it shall not be deemed to be a violation of this Ordinance if public officials who are members of boards, committees, commissions, and agencies comply with the standards set forth in Section 512 of the Town Charter. For the purposes of this Ordinance only, the attendance standards set forth in Section 512 shall apply to both elected and appointed members of boards, committees, commissions and agencies.

Alternates' Attendance. Public Officials who are alternate members of boards, committees, commissions and agencies are expected to attend all meetings of such boards,

committees, commissions and agencies, or attend meetings in accordance with the by-laws or other duly adopted rules of the group to which they belong. However, it shall not be deemed to be a violation of this Ordinance if Public Officials who are alternate members of boards, committees, commissions and agencies comply with the standards set forth in Section 512 of the Town Charter. For the purposes of this Ordinance only, the attendance standards set forth in Section 512 shall apply to both elected and appointed alternate members of boards, committees, commissions and agencies.

Voting. All Public Official members or seated alternate members of boards, committees, commissions and agencies who are qualified to vote, shall vote on all matters upon which a vote is held by such board, committee, commission or agency unless there shall be reasonable cause for abstention and said cause is stated and recorded in the minutes of the meeting.

Statement of Reasons. In every case where the action of any board, committee, commission or agency is subject to a right of appeal to another administrative body or to the courts of the State of Connecticut, a statement of the reasons for its action shall be included in the minutes of the meeting.

SPECIFICATIONS FOR CONSTRUCTION EQUIPMENT RENTAL SERVICES

1. **PURPOSE.** This request seeks qualifications from contractors to provide general contracting construction equipment rental services for future Town of Southbury construction projects. The Town wishes to maintain a list of prequalified contractors for up to three (3) years to achieve the goals identified in the Town's road improvement program. This process will allow the Town to review contractors' qualifications prior to bidding and award and predetermine a contractor's capability to perform certain jobs as it relates to the available equipment, past experience and particular expertise of the prequalified contractors.
2. **FEES.** Pre-Qualified contractors will be asked, through a bid proposal, to be issued at later dates and on an as needed basis, to submit prices for the rental of construction equipment (with qualified operator or driver) for future work on Town construction projects. Actual project fees will be computed based on the assignment of specific work to qualified contractors. Additionally, the awarding of contracts is contingent upon approval of funding.
3. **SELECTION OF QUALIFIED CONTRACTORS**
 - a. **Submittal Content.** Only complete and accurate information shall be provided by the contractor. The contractor hereby warrants that, to the best of its knowledge and belief, the responses contained herein are true, accurate, and complete. The contractor also acknowledges that the Town of Southbury is relying on the truth and accuracy of the responses contained herein. If it is later discovered that any material information given in response to a question was provided by the contractor knowing it was false, provision of said false information shall constitute grounds for immediate termination or rescission by the Town of Southbury of any subsequent agreement between the parties. The Town of Southbury reserves the right to seek any other remedies as provided by law. Applicants shall complete and submit the application forms provided in Attachment A, B, and C. It is incumbent on the applicant to ensure that valid and current contact information is provided for references; projects with references that are not able to be verified by the Town of Southbury will not be considered during the review of submittals.
 - b. **Qualification Criteria.** The competency and reliability of the applicants will be considered by the Town of Southbury in establishing the list of most qualified applicants. The Town of Southbury reserves the right to reject any and all applications, to waive any informalities, to reject portions of the applications, to waive technicalities, and to award contracts in a manner consistent with the interests of the Town of Southbury and the laws of the State of Connecticut. An evaluation committee will determine the construction companies believed to be most qualified to provide Construction Equipment Rental services for potential future construction

projects for up to a three year period beginning on or about May 7, 2023. In prequalifying contractors, the committee may consider the applicant's:

- i. relevant experience related to construction of public roads and similar projects;
- ii. qualifications and experience of key staff, including ability of operators to work with minimal supervision;
- iii. ability to meet the project schedule;
- iv. financial stability;
- v. safety record and procedures, including drug testing procedures;
- vi. a record of maintaining its equipment in good operating condition;
- vii. performance on past or current projects;
- viii. familiarity with the Town and the operation of the Public Works Department;
- ix. location within reasonable proximity to the Town; and
- x. references

Interviews may be conducted with some or all of the applicants. The evaluation committee will recommend a list of no more than ten qualified contractors to the Southbury Board of Selectmen. Contractors' work shall be evaluated by the Town of Southbury during each project. Contractors may be removed from the pre-qualified contractor list if they perform unsatisfactorily, violate the terms of this RFQ or any RFQ for which they are selected, become financially unstable, regularly fail to be available for work on Town projects, or for any other reason deemed to be in the best interest of the Town of Southbury. The Town of Southbury reserves the right to pre-qualify firms on a project-by-project basis for large, complex, and/or special conditions where related experience with such project type is deemed critical. Each company shall prepare their submittal(s) according to the format provided. The Town of Southbury reserves the right to reject any application not submitted within the required timeframe; reject any incomplete submittal; contact client references; require further information; and/or require interviews with any applicant. All costs related to the preparation, submittal and/or presentation of this application are the responsibility of the applicant and will not be assumed in full or part by the Town of Southbury.

4. **PROJECT OVERVIEW.** The Town of Southbury has embarked on a road and infrastructure program that involves the improvement and reconstruction of one or but not limited to:
 - a. Site work, including clearing, stumping, grading and earthwork;
 - b. Roadway widening and side slope excavation, including rock excavation;
 - c. Utility trenching including, but not limited to water, stormwater, and electrical;
 - d. Concrete, asphalt or stone walkways and ramps;
 - e. Retaining Walls (curved and straight);

- f. Landscaping including irrigation;
- g. Road base or pavement removal;
- h. Streambed widening or remediation;
- i. Installation of various amenities such as benches, lighting, etc.;
- j. Other minor road or infrastructure improvements.

SUBMITTAL



TO: Mr. Jeffrey Manville
First Selectman
501 Main Street South
Southbury, Connecticut 06488

APPLICATION OF

Name of Company

Address

City, State, ZIP

Telephone

Email

RECEIPT OF ADDENDA

ADDENDUM #	SIGNATURE	DATE
1	_____	
2	_____	
3	_____	

The applicant certifies that his submittal is made independently without collusion, agreement, understanding or planned course of action with any other applicant and that the contents of his submittal have not been disclosed to anyone other than his employees, agents or sureties prior to the official opening.

Legal Company Name _____

Signature of Authorized Representative _____

Title of Authorized Representative _____

Business Address _____

City, State and Zip Code _____

Telephone Number _____

Email _____

Date _____

**NOTICE TO CONTRACTORS — CODE OF ETHICS/CONFLICT OF INTEREST
ORDINANCE**

The Town of Southbury has amended its Code of Ethics/Conflict of Interest Ordinance to become effective on February 28, 2017 and is included in this package. The contractor shall comply with all applicable provisions of said Ordinance. The contractor acknowledges receiving a copy of said Ordinance, a copy of which is attached hereto and made a part hereof. The contractor further agrees that any instance of its violating any provisions of the Code of Ethics/Conflict of Interest Ordinance will be sufficient cause for the Town to terminate any or all of the contractor's contracts or pending contracts with the Town. The contractor agrees that the above clause will also be incorporated in all of its contracts with its subcontractors and consultants.

ACKNOWLEDGEMENT OF RECEIPT

I have **read** the above Code of Ethics/Conflict of Interest Ordinance, and agree to abide by its terms.

ORDINANCE RECEIVED BY

Print Name _____

Signature _____

Date _____

ATTACHMENT A
MANDATORY STATEMENT OF QUALIFICATIONS

PART I. ESSENTIAL REQUIREMENTS FOR QUALIFICATION

Contractor may be immediately disqualified if the answer to any of questions 1-3 is “no.”

Contractor may be immediately disqualified if the answer to any of questions 4, 5, 6, or 7 is “yes.”
If the answer to question 6 is “yes,” and if debarment would be the sole reason for denial of pre-qualification, any pre-qualification issued will exclude the debarment period.

1. Does your firm possess a valid and current Connecticut Contractor’s license?
 Yes No
2. Does your firm have a liability insurance policy with a policy limit of at least \$1,000,000 per occurrence and \$2,000,000 aggregate?
 Yes No
3. Does your firm have a current workers’ compensation insurance policy as required by the Connecticut statutes?
 Yes No
4. Has your contractor’s license been revoked at any time in the last five years?
 Yes No
5. Has a surety firm completed a contract on your behalf, or paid for completion because your firm was terminated for default by the project owner within the last five (5) years?
 Yes No
6. At the time of submitting this pre-qualification form, is your firm ineligible to bid on or be awarded any public works contract, or perform as a subcontractor on any public works contract?
 Yes No

If the answer is “Yes,” state the beginning and ending dates of the period of debarment:

7. At any time during the last five years, has your firm, or any of its owners or officers been convicted of a crime involving the awarding of a contract of a government construction project, or the bidding or performance of a government contract?
 Yes No
8. Proximity of your organization’s office to the Southbury Town Hall (miles): _____

9. Do you as a company (or among your principal operators) have at least five years construction experience on storm sewer pipelines?
- Yes No
10. Do you as a company (or among your principal operators) have at least five years construction experience on road improvement projects?
- Yes No
11. Have you read and thoroughly familiarized yourself with the Town of Southbury Code of Ethics/Conflict of Interest Ordinance?
- Yes No
12. Are you in compliance with the Town of Southbury Code of Ethics/Conflict of Interest Ordinance and will you be able to remain in compliance with said Ordinance?
- Yes No

**PART II. ORGANIZATION, HISTORY, AND ORGANIZATIONAL PERFORMANCE;
COMPLIANCE WITH CIVIL AND CRIMINAL LAWS**

A. Current Organization and Structure of the Business

1. For firms that are corporations:

a. Date incorporated: _____

b. Under the laws of what state: _____

c. Provide all of the following information for each person who is either an officer of the corporation (president, vice president, secretary, treasurer), or the owner of at least 10% of the corporation's stock.

Name	Position	Years with Co.	% Ownership

d. Identify every construction firm that any person listed above has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years. NOTE: For this question, "owner" and "partner" refer to ownership of 10% or more of the business, or 10% or more of its stock, if the business is a corporation.

Person's Name	Firm's Name	Dates of Person's Association with Firm

--	--	--

2. For firms that are partnerships:

- a. Date of formation: _____
- b. Under the laws of what state: _____
- c. Provide all the following information for each partner who owns 10% or more of the firm.

Name	Position	Years with Co.	% Ownership

- d. Identify every construction firm that any partner has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years. NOTE: For this question, “owner” and “partner” refer to ownership of 10% or more of the business, or 10% or more of its stock, if the business is a corporation.

Person’s Name	Firm’s Name	Dates of Person’s Association with Firm

3. For firms that are sole proprietorships:

- a. Date of commencement of business: _____
- b. Identify every construction firm that the business owner has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years. NOTE: For this question, “owner” and “partner” refer to ownership of 10% or more of the business, or 10% or more of its stock, if the business is a corporation.

Person’s Name	Firm’s Name	Dates of Person’s Association with Firm

B. History of the Business and Organizational Performance

1. Has there been any change in ownership of the firm at any time during the last three years? If “yes,” explain on a separate signed sheet.
 Yes No
2. 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% or more of another, or if an owner, partner, or officer of your firm holds a similar position in another firm. If “yes,” explain on a separate signed sheet.
 Yes No
3. 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. If “yes,” explain on a separate signed sheet.
 Yes No
4. State your firm’s gross revenues for each of the last 3 years:
2022: _____ 2021: _____ 2020: _____

5. How many years has your organization been in business in Connecticut as a utility, site or excavating contractor under your present business name? _____
6. Is your firm currently the debtor in a bankruptcy case? If “yes,” please attach a copy of the bankruptcy petition, showing the case number, and the date on which the petition was filed.
- Yes No
7. Was your firm in bankruptcy at any time during the last five years? 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.
- Yes No

Licenses

8. List all Connecticut construction license numbers, classifications and expiration dates of the Connecticut contractor licenses held by your firm:

9. If any of your firm’s license(s) are held in the name of a corporation or partnership, list below the names of the qualifying individual(s) who meet(s) the experience and examination requirements for each license.

10. Has your firm changed names or license number in the past five years? If “yes,” explain on a separate signed sheet, including the reason for the change.

Yes No

11. Has any owner, partner or officer (for corporations) of your firm operated a construction firm under any other name in the last five years? If “yes,” explain on a separate signed sheet, including the reason.

Yes No

12. Has any license held by your firm been suspended within the last five years? If “yes,” please explain on a separate signed sheet.

Yes No

Disputes

13. At any time in the last five years has your firm been assessed and paid liquidated damages after completion of a project under a construction contract with either a public or private owner? If yes, explain on a separate signed sheet, identifying 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.

Yes No

14. In the last five years has your firm, or any firm with which any of your company’s owners, officers or partners were associated, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason? NOTE: “Associated” refers to another construction firm in which an owner, partner or officer of your firm held a similar position, and which is listed in response to question 1c, 1d, 2c, or 2d on this form. If “yes,” explain on a separate signed sheet. State whether the firm involved was the firm applying for pre-qualification here or another firm. Identify by name of the company, the name of the person within your firm who was associated with that company, the year of the event, the owner of the project, the project and the basis for the action.

Yes No

15. In the last five 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? If “yes,” explain on a separate signed sheet. Identify the year of the event, the owner, the project and the basis for the finding by the public agency.

Yes No

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.

16. In the past five years has any claim against your firm concerning your firm's work on a construction project been filed in court or arbitration? If "yes," on separate signed sheets 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).

Yes No

17. In the past five 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? If "yes," on separate signed sheets identify the claim by providing the project name, date of the claim, name of the entity (or entities) against whom the claim was filed, 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).

Yes No

18. At any time during the past five years, has any surety company made any payments on your firm's behalf as a result of a default, to satisfy any claims made against a performance or payment bond issued on your firm's behalf, in connection with a construction project, either public or private? If "yes," explain on a separate signed sheet the amount of each such claim, the name and telephone number of the claimant, the date of the claim, the grounds for the claim, the present status of the claim, the date of resolution of such claim if resolved, the method by which such was resolved if resolved, the nature of the resolution and the amount, if any, at which the claim was resolved.

Yes No

19. In the last five years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm? If "yes," explain on a separate signed sheet. Name the insurance carrier, the form of insurance and the year of the refusal.

Yes No

Criminal Matters and Related Civil Suits

20. Has your firm or any of its owners, officers or partners ever been found liable in a civil suit or found guilty in a criminal action for making any false claim or material misrepresentation to any public or private agency or entity? If "yes," explain on a separate signed sheet, including identifying who was involved, the name of the public or private agency, the date of the investigation and the grounds for the finding.

Yes No

21. 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? If “yes,” explain on a separate signed sheet, including identifying who was involved, the name of the public agency, the date of the conviction and the grounds for the conviction.

Yes No

22. Has your firm or any of its owners, officers or partners ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty? If “yes,” identify on a separate signed sheet the person or persons convicted, the court (the county if a state court, the district or location if a federal court), the year and the criminal conduct.

Yes No

Bonding

23. During the last five 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? If yes, provide details on a separate signed sheet 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.

Yes No

General

24. How many full-time permanent employees work for your organization at the date of this application? _____

25. Has your firm ever performed construction work for any government agency (state, county or municipality) in the State of Connecticut?

Yes No

26. Has your firm ever performed construction work for the Town of Southbury?

Yes No

27. Has your firm ever been prequalified for a project and failed to submit a bid?

Yes No

28. Has your firm ever contracted to provide equipment rental services (with qualified operators) to assist in road construction projects?

Yes No

29. Have equipment operators with your firm ever worked independently on road or drainage construction projects under a rental equipment service contract?

Yes No

30. Have equipment operators with your firm ever worked under the restrictions of an Inland Wetlands Permit or in or adjacent to a regulated wetland without direct supervision?

Yes No

31. Will equipment and operators be available within seven working days for routine assignments and within forty-eight hours for emergency work?

Yes No

32. Are a billing cycle of 15 days and payment within 30 days of invoice date acceptable payment terms?

Yes No

C. Compliance with Occupational Safety and Health Laws and with Other Labor Legislation Safety Requirements

1. Has OSHA cited and assessed penalties against your firm for any “serious,” “willful” or “repeat” violations of its safety or health regulations in the past five years? If “yes,” attach a separate signed sheet describing 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.

Yes No

2. Has the DEEP, EPA or any other environmental regulatory agency cited or assessed penalties against either your firm or the owner of a project on which your firm was the contractor, in the past five years? If “yes,” attach a separate signed sheet describing each citation.

Yes No

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

4. Does the person in charge of safety for your company conduct on-site project safety inspections?

Yes No

5. List your firm's Experience Modification Rate (EMR) (workers' compensation insurance) for each of the past three premium years: NOTE: An Experience Modification Rate is issued to your firm annually by your workers' compensation insurance carrier. If your EMR for any of these three years is or was 1.00 or higher you may, if you wish, attach a letter of explanation.

Current year: _____

Previous year: _____

Year prior to previous year: _____

6. List your firms OSHA Incidence Rates (must not exceed the Industry Standard published by the U.S. Department of Labor for the last 3 years)

i. Contractor's Recordable Incidence Rates: _____

ii. Contractor's Lost Time Incidence Rates: _____

7. Within the last five years has there ever been a period when your firm had employees but was without workers' compensation insurance or state-approved self-insurance? If "yes," please explain the reason for the absence of workers' compensation insurance on a separate signed sheet. If "No," please provide a statement by your current workers' compensation insurance carrier that verifies periods of workers' compensation insurance coverage for the last five years.

Yes

No

PART III. RECENT CONSTRUCTION PROJECTS COMPLETED

Contractor shall provide information about its five most recently completed public works projects and its three largest completed private projects within the last three years. Names and references must be current and verifiable. Use separate sheets of paper that contain all of the following information:

Project name: _____

Location: _____

Owner: _____

Owner contact (phone number/email): _____

Architect/Engineer: _____

Architect/Engineer contact (phone number/email): _____

Construction Manager: _____

Construction Manager contact (phone number/email): _____

Description of project, scope of work performed: _____

Total value of construction (including change orders): _____

Original scheduled completion date: _____

Time extensions granted (days): _____

Actual date of completion: _____

ATTACHMENT B
CONTRACTOR SAFETY CHECKLIST

1. Do you have a written safety program?
 Yes No
2. Does your program have a written Hazard Communication Component?
 Yes No
3. Does your program have a written Confined Space Entry and Rescue Component?
 Yes No
4. Does your program have a written "Lock-Out/Tag-Out "Component?
 Yes No
5. Does your program include an Equipment Maintenance Component for the following:
 - a. Miscellaneous construction tools and equipment
 Yes No
 - b. Heavy equipment
 Yes No
 - c. Vehicles
 Yes No
6. Do you have a new employee safety orientation program?
 Yes No
 - a. Does it encompass Personal Protective Equipment?
 Yes No
 - b. Does it encompass Respiratory Protection?
 Yes No
 - c. Does it encompass Electrical Safety?
 Yes No
 - d. Does it encompass Fall Protection?
 Yes No
 - e. Does it encompass First-Aid/CPR?
 Yes No
 - f. Does it encompass Driving Safety?
 Yes No
 - g. Does it encompass Hearing Conservation?
 Yes No

- h. Does it encompass Blood-borne Pathogens?
 Yes No
 - i. Does it encompass Hazard Recognition?
 Yes No
 - j. Does it encompass Non-Injury Accident Reporting?
 Yes No
7. Do you conduct weekly safety meetings for your employees?
 Yes No
8. Do you conduct health and safety audits of work in progress?
 Yes No
9. Is safety a criterion in evaluating the performance of your supervisors?
 Yes No
10. Is safety a criterion in evaluating the performance of your employees?
 Yes No
11. Does your company have a drug and alcohol testing policy?
 Yes No
12. Does your company require subcontractors to participate in a drug testing program?
 Yes No
13. Does your company have a method of disseminating safety information?
 Yes No

**ATTACHMENT C
CONTRACTOR INVENTORY LIST**

#	Description	Make	Model	Year	Condition	Operator Years of Experience
1						
2						
3						
4						
5						
6						
7						
8						
9						

10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						

21						
22						
23						
24						
25						
26						
27						
28						
29						
30						

Continue on additional sheets if necessary