



BOARD OF COUNTY COMMISSIONERS

## **POLICY**

Number: BCC-28  
Cancels: December 08, 2020  
Approved: August 6, 2024  
Originator: Central Services  
Review: August 6, 2027

# **TITLE: Pre-Qualification of Construction Bidders Prior To Award**

## **I. Objectives**

To delineate and define the process for pre-qualifying bidders on a project-by-project basis, and to establish a process for pre-qualifying prospective bidders on a periodic basis for a group of specific projects prior to award by the County in order to evaluate a Contractor's and/or Subcontractor's eligibility for Brevard County projects.

This Policy requires the Contractor and/or Subcontractor to submit documents which will provide evidence of adequate project experience, quality workmanship, adherence to project schedule, financial soundness, depth of corporate commitment, bid bond, prospective payment and performance bond rating in the surety market, safety performance, and any other pertinent data obtained from reference checks that is determined by staff to be a measure of the Contractor's/Subcontractor's qualifications.

## **II. References**

- A. Section 255.20, Florida Statutes, Local bids and contracts for public construction works; specification of state-produced lumber.
- B. Brevard County Policy BCC-25, Procurement Policy.
- C. AIA Document A305, Contractor's Qualification Statement.
- D. Brevard County Administrative Order AO-45, Post Project Contractor/Subcontractor Evaluation Form.
- E. Chapter 2, Article VII, Brevard County Code, entitled "Construction and Improvement of Public Buildings."

## **III. Directives**

- A. The following pre-qualification information that is listed below of the apparent low bidder/contractor will be utilized for all construction projects exceeding \$200,000.00. However, the Board hereby delegates authority to the County Manager to obtain additional information, including, but not limited to, the following items listed below, if consideration of such information is in the best

interest of the County:

1. Contractor's Qualification Statement – AIA Document A305, most recent Edition.
2. Contractor's Qualification Statement – AIA Document A305, most recent Edition, for subcontractor's determined by staff and identified in the bidding documents to be critical to the success of the project. Key subcontractors and their qualifications are to be identified in the bid documents.
3. Most recent Financial Statement of an individual or business organization that have been examined by a certified public accountant (CPA) and which were prepared within the last 15 months.
4. Resumes of Contractor/Subcontractor's key personnel down, including Project Manager and Superintendent level.
5. The Bid Bond, Public Entity Crime Affidavit and Non-Collusion Affidavit (submitted with the Bid) will be reviewed and verified.
6. The Vendor Affidavit Regarding Scrutinized Company List for services of \$1 million or more will be verified.
7. List of subcontractors and suppliers and items of work to be performed by the Contractor's workforce.
8. Any other pertinent qualifications, evaluations from past projects, data or information determined by staff to be critical to the success of the project.
9. Department of Homeland Security E-Verify Memorandum of Understanding.

- B. The apparent low bidders, after the formal bid opening, will be required to submit the information above within five (5) days for review and approval by the appropriate Review and Qualification Committee listed below. If the apparent low bidder cannot provide adequate documents for review, or the submitted documents give indications of a non-stable or unqualified company, the Contractor will be recommended by the Review and Qualification Committee for bid rejection and the apparent second low bidder will be contacted and afforded the previous mentioned five (5) days to submit their pre-qualifications documents. This process would continue until a most responsive, responsible bidder is established.

A Contractor will not be required to undergo an additional pre-qualification process within two (2) calendar years of being qualified if the following requirements have been met:

1. the Contractor has demonstrated a capacity to successfully manage similar types of projects, and
2. the user department/office approves the Contractor for its project if such project was similar in nature to the one for which the Contractor was previously qualified.

Note: The Public Works Department may require contractors to be pre-qualified by the Florida Department of Transportation (FDOT) in order to bid

for the performance of road, bridge, or public transportation construction contracts greater than \$200,000.00. A prequalified contractor considered eligible by FDOT to bid to perform the type of work described under the County's solicitation is presumed to be qualified to perform the work identified in the County's solicitation as long as the contractor submits to the County its Certificate of Qualification from FDOT, which lists the approved work classes, Maximum Capacity Rating in Dollars, and a listing of current contracts (value and percentage remaining), as well as any other information required by the State.

C. Upon a written recommendation from the user department/office, the County Manager may modify or alter the list of individuals designated below to evaluate pre-qualification and responsiveness criteria. The committees established below may be intradepartmental or include representatives of several departments/offices interested in the administration and success of the construction project.

1. Public Works Department Projects (horizontal construction projects)  
Public Works Department Director  
Traffic Operations Manager  
Engineering Program Manager
2. General Construction Projects (any other Departments relying on Facilities to oversee their projects including Parks and Recreation referendum projects, special districts, agencies, or other County project not otherwise encompassed herein)  
Public Works Department Director (for Facilities CIP projects only)  
Facilities Building & Operations Manager (for non-Facilities CIP projects)  
Facilities Construction Manager  
User Agency Department Director
3. Landscaping Projects  
Road & Bridge Program Manager  
Parks and Recreation Department Director  
Public Works Department – Landscaping Operations Manager
4. Utility Services or Natural Resources Management Projects  
Assistant County Manager for Development & Public Services Group  
Utility Services Department Director  
Natural Resources Management Department Director
5. Solid Waste Projects  
Assistant County Manager for Development & Public Services Group  
Solid Waste Management Department Director  
Utility Services Department Director

- 6. Housing & Human Services Department  
Housing & Human Services Department Director  
Central Services Department Director  
Facilities Construction Manager

#### IV. Reservation of Authority

The authority to issue and/or revise this Policy is reserved to the Board of County Commissioners.

Attest:

\_\_\_\_\_  
Rachel Sadoff, Clerk of Court

\_\_\_\_\_  
Jason Steele, Chair

Board of County Commissioners  
Brevard County, Florida

As approved by the Board on \_\_\_\_\_