

REQUEST FOR QUALIFICATIONS

Kannapolis Lake Dam Spillway Replacement Project

Kannapolis, North Carolina

February 20, 2025



City of Kannapolis
Kannapolis Lake Dam Spillway Replacement Project

To whom it may concern:

The City of Kannapolis (City) is the Owner of Kannapolis Lake Dam and is planning to solicit bids for furnishing and installing all materials, labor, tools, and equipment for the construction work necessary for the construction of the Kannapolis Lake Dam Spillway Replacement Project (Project). This Project will be bid as a single prime contract in accordance with North Carolina General Statutes (NC GS). The City intends to start construction in summer of 2025.

The City is requiring that prospective contractors interested in bidding on the Project submit to the City an Application for Prequalification (Application) which demonstrates the contractor's capabilities, capacity, and experience in completing construction work of similar nature, scale, and complexity. The submitted Application from each contractor (Applicant) will be used by the City to determine eligibility to bid based on the contractor's financial ability, organization, ownership, and experience and past performance.

Applications and requests for clarification (RFCs) related to this Request for Qualifications (RFQ) shall be received by the Prequalification Representative below by 5:00 PM on the respective due dates listed in the Prequalification Schedule below. Applications received after this time will be considered nonresponsive and will not be opened. Requests for clarifications and applications can be sent physically via mail or digitally via email.

Prequalification Representative

Alex Anderson
Director of Water Resources
City of Kannapolis
401 Laureate Way
Kannapolis, NC 28081
aanderson@kannapolisnc.gov

Prequalification Schedule

Due Date for RFCs	Friday February 28, 2025
Responses to RFCs Issued	Friday March 7, 2025
Due Date for Applications	Friday March 14, 2025
Responses to Applications Issued	Friday March 21, 2025

City of Kannapolis
Kannapolis Lake Dam Spillway Replacement Project

The prequalification of an Applicant shall not constitute a determination that the Applicant will be deemed a responsive or a responsible bidder.

CITY OF KANNAPOLIS, NORTH CAROLINA



Alex Anderson
Director of Water Resources

ATTACHMENTS:

- (1) Project Background and Scope
- (2) Application Requirements
- (3) Application Format and Content
- (4) Application Evaluation
- (5) Protest Procedure
- (6) Prequalification Application Form
- (7) Prequalification Scoring Matrix
- (8) NC GS 143-128 – Requirements for certain building contracts
- (9) NC GS 143-128.2 – Minority business participation goals
- (10) NC GS 143-135.8 – Prequalification
- (11) City of Kannapolis Prequalification Policy

1. PROJECT BACKGROUND

Kannapolis Lake Dam is owned and operated by the City of Kannapolis, North Carolina. The dam was constructed in 1940 and impounds a reservoir, Kannapolis Lake, which is used for water supply. The dam is constructed across Irish Buffalo Creek, immediately west of Pump Station Road and just north of W C Street. The latitude and longitude of the dam are 35° 30.7' N and 80° 38.8' W, respectively.

Kannapolis Lake Dam is categorized as a Medium sized, High Hazard dam according to NCDEQ Dam Safety (NCDEQ Inventory No. ROWAN-007). The dam is an earthen embankment with a concrete auxiliary spillway on the right abutment and an intake tower in the reservoir that feeds the City's water treatment plant downstream of the dam and across Pump Station Road. Flows from the reservoir are conveyed through the spillway into Irish Buffalo Creek. The dam has a structural height of approximately 40 feet at the maximum section, a hydraulic height of approximately 32 feet relative to normal pool, and a maximum storage capacity of approximately 5,931 acre-feet at the crest of the dam.

The Kannapolis Lake Dam Spillway Replacement Project includes demolition of the existing concrete auxiliary spillway that does not have adequate spillway capacity and is structurally deteriorated and construction of a new cast-in-place concrete auxiliary spillway with a labyrinth weir control section.

2. PROJECT SCOPE

The anticipated type of contract is a Single Prime, Unit Price contract procured under a competitive, prequalification process. The Applicant will be required to furnish all labor, materials, and equipment required for completing the Project work. The general scope of the Project work includes the major components listed below.

- Mobilization, preparation of administrative, staging, and work areas, and establishing construction limits
- Construction, operation, and maintenance of erosion and sediment control measures in accordance with an approved permit from the NC Department of Environmental Quality
- Development and implementation of a control-of-water plan, including design of temporary cofferdams, temporary stream diversion, and dewatering measures consistent with conceptual design approved by NC Dam Safety. The concept includes lowering the reservoir 3.5 feet below normal pool with temporary siphons and the installation of an upstream and downstream temporary cofferdam.
- Demolition and removal of the existing spillway structure to the demolition limits shown on the Drawings.
- Excavation of soil and rock to the limits on the Drawings.
- Installation of sand and stone drainage systems beneath the spillway slab and behind the spillway sidewalls.
- Construction of reinforced concrete auxiliary spillway including cutoff walls, labyrinth weir control section, converging chute, and stilling basin.
- Installation of sluice gates, ductile iron pipe, and Fiber Reinforced Plastic (FRP) platform for auxiliary spillway outlet works.
- Backfill behind new spillway sidewalls and fill placement to level the crest of the existing embankment.
- Grading and installation of riprap protection along the outlet channel bank and around the auxiliary spillway entrance.
- Installation of other miscellaneous items including FRP ladder, fencing, and instrumentation.

APPLICATION REQUIREMENTS ATTACHMENT 2

1. COST REIMBURSEMENT

The Owner shall not be responsible for any cost incurred by the Applicant because of participation in this prequalification process. Each Applicant shall bear its own expense in connection with the preparation and submission of materials, provision of any supplemental information required, and/or participation in an interview if requested. The Owner shall have no liability for cost incurred by the Applicant in connection with the review and evaluation of prequalification materials and any findings and determinations made. This is not a solicitation for bid. All materials and information submitted during the prequalification process will become the property of the Owner and will not be returned to the Applicant.

2. PREQUALIFICATION BY OTHER AGENCIES

Submitting Applicants shall recognize that previous prequalification by another agency does not serve as a basis for qualifying applicants for the work described herein. Inclusion of such previous prequalifications in the Application will be given no consideration.

3. REQUIREMENTS FOR APPLICATION SUBMITTAL

- The Applicant shall complete and submit by mail or hand-delivery in hardcopy one original of the Application, including all associated forms and attachments. Or Applicants shall submit one copy of their Application in PDF format via email. If applicable the applicant shall submit a redacted copy that contains the RFQ number and Applicant's name on the cover page and shall be clearly titled "Redacted Copy" per the requirement of Section 5 of this attachment.
- If a hardcopy is submitted, the Application shall be signed and submitted to the Prequalification Representative in a sealed container. The Applicant's name and the Project name must be clearly displayed on the outside of the container.
- Applications must be typed or neatly printed. The information presented should be clear, complete, concise and not misleading. Failure to submit a response on the official forms provided for that purpose shall be considered just cause for rejection of the response.

4. REQUESTS FOR CLARIFICATION

All requests for clarification (RFCs) of this RFQ must be submitted in writing via email or regular mail to the Prequalification Representative using the contract information in the RFQ cover letter and in accordance with the schedule indicated in the RFQ cover letter.

Any and all responses to RFCs and any supplemental instructions or changes will be issued in the form of written Addenda to this RFQ on the website indicated below. Addenda will also be sent to all Applicants via the email addresses furnished as a courtesy. It is the responsibility of all Applicants to check the website and their email for any Addenda prior to submission. No questions will be answered after the due date for RFCs.

<https://www.kannapolisnc.gov/Government-Departments/Finance/Current-RFPs-and-Bids>

All Addenda so issued shall become part of the Application and must be signed by the Applicant and returned to the Owner with the Application. Failure to acknowledge receipt and inclusion of each Addendum may be grounds for rejection of the Application.

APPLICATION REQUIREMENTS ATTACHMENT 2

5. CONFIDENTIAL / PROPRIETARY INFORMATION

All materials submitted during the prequalification process become public records unless a claim for exemption is submitted by the Applicant for the applicable material. The Applicant should give specific attention to the identification of those portions of their Application which they consider to be confidential, proprietary information or trade secrets, and provide any justification of why such materials, upon request, should not be disclosed by the Owner under North Carolina public records laws. The Applicant must clearly indicate each and every section that is deemed confidential, proprietary or a trade secret as required by statute. It is NOT sufficient to preface your entire Application with a proprietary statement.

Applicants should briefly describe in writing the grounds for claiming exemption from the public records law, including the specific statutory citation for such exemption. The redacted copy shall contain the RFQ number and Applicant's name on the cover page and shall be clearly titled "Redacted Copy." The Redacted Copy shall be provided at the same time the Applicant submits the Application and must only exclude or obliterate those exact portions that are claimed confidential, proprietary, or trade secret. The Application shall be responsible for defending its determination that the redacted portions of its documents, data or records are confidential, trade secret or otherwise not subject to disclosure. If the Application does not submit a Redacted Copy, the Owner may produce the entire documents, data or records submitted by the Applicant in answer to a public records request for these records.

If the Owner determines that a document that the Applicant has designated "confidential" or "trade secret" is not entitled to protection from public disclosure, the Owner will provide notice of that determination to the contact person designated by the Applicant, in any reasonable manner that the Owner can provide such notice, at least five business days prior to its public disclosure of the document. If the Applicant does not designate anyone to receive such notice, the Owner will not have any obligation to provide any notice of a determination of non-confidentiality. If the Applicant does not designate anyone to receive such notice, or if, within five business days after the designated person receives such notice, the Applicant does not initiate judicial proceedings to protect the confidentiality of the document, the Owner will not have any obligation to withhold the document from public disclosure.

By submitting to the Owner a document that the Applicant designates as "confidential" or "trade secret", the Applicant agrees that in the event a third party brings any action against the Owner or any of its agents, officials or employees to obtain disclosure of the document, the Applicant will indemnify, defend, and hold harmless the Owner, agent and each organization's affected officials and employees from all costs, including attorney's fees incurred by or assessed against any defendant, of defending against such action. The Applicant also agrees that at the Owner's request the Applicant will intervene in any such action and assume all responsibility for defending against it, and that the Applicant's failure to do so will relieve the Owner or any of its agents, officials or employees of all further obligations to protect the confidentiality of the document.

6. NOTICE OF SUBSTANTIAL CHANGES

If the Applicant experiences a material change in its debarment status, financial condition, corporate structure or personnel after the Application is submitted and prior to the award of the contract for the project, the Applicant shall notify the City of the change in writing at the time the change occurs or as soon thereafter as is reasonably practicable.

APPLICATION REQUIREMENTS ATTACHMENT 2

Failure to notify the City of any material change in the Applicant's debarment status, financial condition, corporate structure or personnel may constitute grounds for rescinding a "qualified to bid" rating or for rejection of a bid.

7. MISREPRESENTATION

If the Applicant knowingly makes a misrepresentation in submitting information to the City, or fails to provide all required information, or provides information that is misleading, such misrepresentation, omission or misleading information, such action will be sufficient grounds for rescinding a "qualified to bid" rating or for rejection of a bid submitted as a result of this prequalification.

8. COLLUSION AMONG APPLICANTS

More than one response from an individual, firm, partnership, corporation, or association under the same or different name will be rejected. Any or all responses will be rejected if there is any reason for believing that collusion exists among the Applicants. Participants in such collusion may not be considered in future bids for the same work. Each Applicant, by submitting a response, certifies that they are not a party to any collusive action or to any action that is otherwise unlawful.

9. NON-EXCLUSIVITY OF SUBCONTRACTORS

Nothing in this RFQ will preclude a firm acting as a subcontractor to be included as a subcontractor for two or more prime contractors who submit an Application.

APPLICATION FORMAT AND CONTENT

ATTACHMENT 3

1. FORMAT AND CONTENT

The Application shall be accompanied by a Transmittal Letter which is signed by one or more officers of the firm who are able to commit their organization to the Project. The Application shall be divided into sections, as described below. The Applicant shall complete the Prequalification Application Form (Attachment 6 to this RFQ) and provide additional information as requested below.

Section 1 – Introduction

The following information shall be provided in Section 1.

- Applicant name and address of the office location expected to lead the work effort for the Project.
- All names under which the Applicant conducts business.
- Names, addresses, and nature of any affiliated, parent, and or subsidiary companies.
- For small business concerns, provide any governmental certifications required.
- Provide the name, address, email address, and phone number(s) of the person who can respond authoritatively to any questions regarding this Application.

Submit a copy of the Applicant's corporate organization chart(s). Provide the number of employees identified by discipline down through field superintendents.

Section 2 – Minimum Criteria for Prequalification

Section 2 of the Prequalification Application Form lists the minimum requirements for licenses, bonds, insurance, and history in order for an Applicant's qualifications to be considered. Responding firms must meet all criteria in Section 2 in order to have their qualifications reviewed further. Failure to meet the requirements of Section 2 will result in responding firms being considered unqualified and their qualifications will receive no further review and they will not be allowed to bid the project.

Section 3 – Additional Company Information

Provide the requested information listed in Section 3 of the Prequalification Application Form, including:

- Type of work performed on a regular basis
- Safety record – EMR
- Safety record – OSHA records
- Financial information
- Litigation and claims history

APPLICATION FORMAT AND CONTENT

ATTACHMENT 3

Section 4 – Cost and Schedule Control

Provide the requested information listed in Section 4 of the Prequalification Application Form, including information on two example projects showing your capability in preparing and utilizing construction schedules using the critical path method and two example projects showing your standard operating procedures (SOPs) for tracking submittals requests for information (RFIs) and project costs.

Section 5 – Project Specific Requirements

Provide the project details for a minimum of 3 (three) projects of similar size and complexity to this project to demonstrate the requested experience as listed in Section 5 of the Prequalification Application Form. These projects should also include references that may be contacted by the Owner or their representative to discuss your performance.

Provide a narrative that discuss your proposed project organization chart for this project including key personnel. Provide a short bio-sketch or experience profile for the key members of your Project Team. If a key position may be filled by one of several potential members of the organization, provide names and bio-sketches of all such personnel. Full resumes of the proposed Project Superintendent, Project Manager and other key personnel shall be provided as an appendix to the Application.

In addition to the above information, the required Details of Past Projects sheets in Section 5 of the Prequalification Application Form shall include descriptions in sufficient detail to demonstrate the contractor's experience and qualifications in the following work items:

- Experience on dam rehabilitation projects with a contract value in excess of \$5M
- Experience in forming and pouring cast-in-place (CIP) concrete hydraulic structures, including:
 - Spillway chute slabs or other concrete slabs that slopes in excess of 15%
 - CIP exceeding 2,500 cubic yards
 - CIP concrete with complex forming and/or the use of PVC waterstops
- Experience on dam rehabilitation projects requiring stream diversion using cofferdams
- Experience with demolition/select demolition of more than 1,000 CY of reinforced concrete
- Experience with drainage systems comprised of sand and/or stone
- Experience with rock excavation of more than 5,000 CY of rock

Identify specialty and major subcontractors by function to perform any of the above tasks or other project components that are expected to exceed 10% of the contract value. If specific subcontractors are proposed, discuss the extent to which you have previously worked with these subcontractors and provide project descriptions in sufficient detail to allow their qualifications for their proposed tasks to be reviewed. Any replacement(s) of identified subcontractor(s) will require submittal and approval of prequalification documentation prior to performing their designated work.

APPLICATION FORMAT AND CONTENT ATTACHMENT 3

Section 6 – Signature and Affidavit

Provide the requested information and complete the requirements of Section 6 of the Prequalification Application Form to acknowledge that all the answers provided in your application are true to the best of your knowledge. Any answers found to be falsified will bar you from being prequalified on this project.

Additional Information

The Applicant may add any additional information as desired. Do NOT enclose company brochures, advertising literature, web-site print-outs or other material not specifically relevant or applicable to this RFQ.

Links to web-sites, videos, DVD's or other electronic media may be included in the Application, although the Owner makes no commitment or guarantee that this material will be reviewed as part of the evaluation process. Such material will become the property of the Owner. Videos, DVD's, or other electronic media will not be returned.

2. EXHIBITS TO THE APPLICATION

At minimum, the following shall be included with the Application. Exhibits A and B are provided as attachments to this RFQ.

- Application Exhibit A – Prequalification Application Form (Attachment 6)
- Application Exhibit B – Prequalification Scoring Matrix (Attachment 7)
- Application Exhibit C – Resumes of Key Personnel

APPLICATION EVALUATION ATTACHMENT 4

1. EVALUATION PROCESS

Applicants will be considered for prequalification on the basis of the evaluation criteria below. Successful prequalification will be based on the Owner or their representative being able to verify the submitted information by contacting the provided references.

- Is the prequalification submittal complete and responsive? Incomplete submittals will be considered unresponsive and will not be reviewed. The owner reserves the right to waive response informalities.
- Does the contractor have the minimum qualifications and ability to bond and insure the project as detailed herein (See Application Section 2)?
- For section 2 through 6, has the contractor demonstrated the minimum level of experiences and qualifications required to perform the work as evidenced by receiving a total point score in excess of 125 points as detailed in Attachment 7?
- Do the references confirm that the Contractor completed the work as listed in the submitted examples of past projects, without issues related to the work proceeding in an orderly manner, schedule, quality, or budget? Negative references may be grounds for disqualification.

PROTEST PROCEDURE

ATTACHMENT 5

1. INITIAL PROTEST

An Applicant may protest the denial of prequalification in the manner described below.

- A written protest must be received by the Prequalification Representative (Alex Anderson, aanderson@kannapolisnc.gov) within two business days of issuance of notice of denial. The written protest shall clearly identify the Project, clearly articulate the reasons for the protest, and be accompanied by any documents or additional information in support of the Applicant's position.
- The Prequalification Representative will contact the Applicant and set up a date and time to discuss the protest.
- If upon review, it is determined that the firm meets the criteria for prequalification, the Applicant shall be notified that it is prequalified to bid on the project and allowed to participate in the bid process. If the City upholds the denial, the Applicant shall be notified in writing by e-mail.

2. APPEAL

If the Applicant desires further review after receiving the decision, the Applicant may request an administrative review and final decision by the City as follows:

- A written request for administrative review must be received by the Prequalification Representative via email within two business days from the Applicant's receipt of the response to the initial protest. The request for administrative review shall clearly identify the Project, clearly articulate the reason(s) for the review, and be accompanied by any documents or additional information in support of the Applicant's position.
- The Prequalification Representative will contact the Applicant and set up a date and time to discuss the protest.
- If upon review, the City determines that the firm meets the criteria for prequalification, the Applicant shall be notified that it is prequalified to bid on the project and allowed to participate in the bid process. If the City upholds the denial, the Applicant shall be notified in writing by e-mail. This decision shall be final.

3. GENERAL RULES FOR PROTEST

- Applicants shall provide at least two email addresses for use by the Prequalification Representative in communicating with the firm during the protest process.
- The bid opening cannot occur until the protest process is completed.
- The bid opening must be scheduled in order to allow sufficient time for an Applicant that is prequalified as a result of a protest to submit a bid on the Project.

Kannapolis Lake Dam Spillway Replacement Project

Attachment 6 - Prequalification Application Form

Pursuant to the statute, this form gathers information about the contractors seeking to qualify for the work and provides a general format for the prequalification criteria. **Completing this questionnaire does not guarantee prequalification.** Evaluation of this application will be performed by the prequalification committee in accordance with GS 143-128, GS 143-128.2, 143-135.8, and the City of Kannapolis Prequalification Policy (all four attached to RFQ). **All questions must be addressed in order to be considered a completed application.**

PREQUALIFICATION DUE DATE/TIME: March 14, 2025 5:00 PM EST
(date) (time)

Submitted to: Alex Anderson
Prequalification Representative

City of Kannapolis – Director of Water Resources

401 Laureate Way
Address

Address
Kannapolis, NC 28081
City/State Zip Code + 4

(704)920-4252 N/A
Phone number Fax Number

E-mail address

Project: Kannapolis Lake Dam Spillway Replacement Project
Name of Project

City of Kannapolis
Project Owner

Kannapolis Lake Dam Spillway Replacement Project
Attachment 6 - Prequalification Application Form

SECTION 1. GENERAL COMPANY INFORMATION

Primary/Main office location

Company Name

Physical Address

Mailing Address

City/State Zip Code + 4

(_____) _____
Phone number

(_____) _____
Fax number

Primary Contact Name

Secondary Contact Name

Primary Contact Email Address

Secondary Contact Email Address

Organization

Business type (check box)

☐ Corporation ☐ Partnership ☐ Limited Liability Company ☐ Sole Proprietor ☐ Joint Venture

Is your firm owned or controlled by a parent or any other organization? ☐ Yes ☐ No

If yes, describe Ownership: _____

List all other names your firm has operated as for the past five (5) years: _____

How long has the firm been in business in its current organizational structure? : _____

Provide the full legal names of all individuals authorized to sign legal documents for the Company:

Kannapolis Lake Dam Spillway Replacement Project
Attachment 6 - Prequalification Application Form

Licensing Information

Please provide all North Carolina professional licenses required for you to perform your services:

Name of licensee /NC License number

License Limit/Level

Has any license ever been denied or revoked? ☐ Yes ☐ No

If yes, please describe: _____

Kannapolis Lake Dam Spillway Replacement Project
Attachment 6 - Prequalification Application Form

SECTION 2. MINIMUM CRITERIA FOR PREQUALIFICATION

All of the questions in this Section must be addressed in order to be considered a completed application.

- A. Is your firm registered to do business in the State of North Carolina? ☐ Yes ☐ No
- B. Is your firm a licensed contractor in the State of North Carolina? ☐ Yes ☐ No
- C. Does your company have the resources to bond this project? ☐ Yes ☐ No
- D. Please attach a **surety letter**, dated within the last 30 days, from your surety company, signed by their Attorney in Fact, verifying their willingness to issue sufficient payment and performance bonds for this project, on behalf of your firm and the dollar limits of that bond commitment, both single and aggregate. Surety company bond rating shall be rated "A" or better under the A.M. Best Rating system or The Federal Treasury List.
- a. Have you attached a surety letter? ☐ Yes ☐ No
- b. Surety bond rating A or better under the A.M. Best Rating system or The Federal Treasury List?
☐ Yes ☐ No
- E. The minimum requirements of coverage and anticipated contract language related to insurance and indemnification are presented below. Firms must indicate that they can provide evidence of insurance coverage by attaching a copy of their insurance certificate.

INSURANCE: The Successful Bidder (Contractor) agrees to keep and maintain for the duration of this Agreement including but not limited to commercial general liability, auto liability, professional liability, workers' compensation, employer's liability, and umbrella coverage with at least the minimum limits shown below. The Contractor shall furnish the City with certificates of insurance for each type of insurance described herein, with the City listed as Certificate Holder and as an additional insured on the Contractor's general liability policy and provide a waiver of subrogation on the Contractor's general liability and workers' compensation policy. In the event of bodily injury or property damage loss caused by the Contractor's negligent acts or omissions in connection with Contractor's services performed under this Agreement, the Contractor's Liability insurance shall be primary with respect to any other insurance which may be available to the City, regardless of how the "Other Insurance" provisions may read. In the event of cancellation, substantial changes or nonrenewal, the Contractor and Contractor's insurance carrier shall give the City at least thirty (30) days prior written notice. No work shall be performed until the Contractor has furnished to the City the above referenced certificates of insurance and associated endorsements, in a form suitable to the City. The Contractor must also be able to provide an insurance policy for Builder's Risk All Risk equivalent to the completed project cost. Payment and Performance Bonds will also be a requirement.

Kannapolis Lake Dam Spillway Replacement Project

Attachment 6 - Prequalification Application Form

1. Commercial General Liability, Occurrence

Each occurrence:	\$1,000,000
Damage to Rented Premises (each occurrence)	\$100,000
Medical Expense (any one person)	\$5,000
Personal and Advertising Injury	\$1,000,000
General Aggregate	\$2,000,000
Products and Completed Operations, Aggregate	\$2,000,000

2. Automobile Liability for:

Any Auto, Hired Autos, Non-Owned Autos	
Combined Single Limit, Each Accident	\$1,000,000

3. Excess/Umbrella Liability, Occurrence

No deductible, \$0 Retention	
Each Occurrence	\$10,000,000
Aggregate	\$10,000,000

4. Workman's Compensation

State:	Statutory
Applicable Federal :	Statutory

5. Employer's Liability:

Each Accident	\$100,000
Disease – Each Employee	\$100,000
Disease – Policy Limit	\$500,000

INDEMNIFICATION: The Successful Bidder (Contractor) shall indemnify, defend and hold harmless the City and its subsidiaries, divisions, officers, directors and employees from all liability, loss, costs, claims, damages, expenses, attorney fees, judgments and awards arising or claimed to have arisen, from any injury caused by, or allegedly caused by, either in whole or in part, any act or omission of the Contractor or any employee, agent or assign of the Contractor. This provision is not applicable to any claim arising out of or related to any active or primary negligence of or by the City, its officers or employees. Nothing herein shall be construed as a waiver on the part of the City to any defense of any claim, including, but not limited to the defense of governmental immunity.

- a. Is your company capable of meeting the minimum Insurance requirements? ☐ Yes ☐ No
 - b. Have you attached a copy of your insurance certificate? ☐ Yes ☐ No
- F. Is your present company, its officers, owners, or agents ever been barred from bidding public work in North Carolina?
☐ Yes ☐ No
- G. Has your present company, its officers, owners, or agents been convicted of charges relating to conflicts of interest, bribery, or bid-rigging in the last five years? ☐ Yes ☐ No

Kannapolis Lake Dam Spillway Replacement Project
Attachment 6 - Prequalification Application Form

SECTION 3. ADDITIONAL COMPANY INFORMATION

A. Type of Work Performed on a Regular Basis

Primary Scope of Work: _____

Secondary Scope of Work: _____

Other Scope of Work: _____

What type of work do you self-perform? _____

Number of dam rehabilitation projects completed in the last 3 years? _____

B. Safety Record

- a. List your company's Experience Modification Rate (EMR) for past three years. (Attach OSHA 300 Log for the last 3 years.)

_____	_____	_____
Current Year EMR	Previous Year EMR	Year Before Last EMR

- b. Please provide proof of Experience Modification Rate of the last 3 years. Is required OSHA reporting to substantiate EMR included? ☐ Yes ☐ No

C. Safety Record

- a. Have your company ever been fined by OSHA? ☐ Yes ☐ No

- b. List any OSHA fines and Jobsite fatalities in the past 3 years with an explanation:

- c. Please attached your OSHA 300 log for the last three years. Have you attached your OSHA 300 log for the last three years? ☐ Yes ☐ No

D. Financials

- a. Attach latest balance sheet and income statement, if available, based on company type. Audited statements preferred. If not available, attach a copy of the latest annual renewal submission to the relevant licensing board. (Firm must submit financial data and may clearly indicate a request for confidentiality to avoid this item from becoming part of a public record.)

Have you attached a balance sheet? ☐ Yes ☐ No

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Attachment 6 - Prequalification Application Form

E. Litigation/Claims

- a. Has your company been involved in any judgments, claims, arbitration mediation proceedings, or suits within the last five years, whether resolved or still pending resolution? ☐ Yes ☐ No

If yes, please state the project name(s), year(s), case number and reason why: _____

- b. Has your company ever failed to complete construction contract within the last 5 years? ☐ Yes ☐ No

If yes, please provide project name(s), year(s), and reason why: _____

- c. Have you ever paid liquidated damages or compensation to an Owner due to Contractor's lost time (at no fault of the owner) on any project within the last 3 years? ☐ Yes ☐ No

If yes, please state the project name(s), year(s), and reason why. _____

Kannapolis Lake Dam Spillway Replacement Project
Attachment 6 - Prequalification Application Form

SECTION 4 DEMONSTRATE ABILITY TO CONTROL COST/SCHEDULE ON COMPLEX PROJECTS

A. Provide two example projects showing the capability of preparing critical path methods construction schedules.

#1 –Project Name	
Description of Work Performed	
Contract Delivery Method (CM/GC)?	
Owner Name/ Representative	
Owner Address/Phone #/Email	
Engineer Name / Representative	
Engineer Address/Phone #/Email	
Contract Dollar Value	
Percentage Complete	
Current Anticipated Completion Date	
Software Utilized (if applicable)	
#2 –Project Name	
Description of Work Performed	
Contract Delivery Method (CM/GC)?	
Owner Name/ Representative	
Owner Address/Phone #/Email	
Engineer Name / Representative	
Engineer Address/Phone #/Email	
Contract Dollar Value	
Percentage Complete	
Current Anticipated Completion Date	
Software Utilized (if applicable)	

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Attachment 6 - Prequalification Application Form

B. Provide two example projects that demonstrate SOPs used for tracking submittals, RFIs, project costs, etc.

#1 –Project Name	
Description of Work Performed	
Contract Delivery Method (CM/GC)?	
Owner Name/ Representative	
Owner Address/Phone #/Email	
Engineer Name / Representative	
Engineer Address/Phone #/Email	
Contract Dollar Value	
Percentage Complete	
Current Anticipated Completion Date	
#2 –Project Name	
Description of Work Performed	
Contract Delivery Method (CM/GC)?	
Owner Name/ Representative	
Owner Address/Phone #/Email	
Engineer Name / Representative	
Engineer Address/Phone #/Email	
Contract Dollar Value	
Percentage Complete	
Current Anticipated Completion Date	

Kannapolis Lake Dam Spillway Replacement Project
Attachment 6 - Prequalification Application Form

SECTION 5. PROJECT SPECIFICS REQUIREMENTS

A. The assigned project superintendent for this project shall be:_____.

Please include a resume of the assigned project superintendent for this project.

Have you included a resume? ☐ Yes ☐ No

The experience this superintendent has on this specific type of project is:

_____0-2 _____3-4 _____ 5-10 _____>10 years.

B. The assigned project manager for this project shall be _____.

Please include a resume of the assigned project manager. Have you included a resume? ☐ Yes ☐ No

The experience this project manager has on this specific type of project is:

_____0-2 _____3-4 _____ 5-10 _____>10 years

Similar Projects

C. List up to three current or completed projects performed as general contractor on a dam rehabilitation project with a contract value of at least \$5M in the last 10 years. Include contact information for owner or engineer.

#1 –Similar - Project Name	
Description of Work Performed	
Contract Delivery Method (CM/GC)?	
Owner Name/ Representative	
Owner Address/Phone #/Email	
Engineer Name / Representative	
Engineer Address/Phone #/Email	
Contract Dollar Value	
Percentage Complete	
Current Anticipated Completion Date	

Kannapolis Lake Dam Spillway Replacement Project
Attachment 6 - Prequalification Application Form

#2 –Similar - Project Name	
Description of Work Performed	
Contract Delivery Method (CM/GC)?	
Owner Name/ Representative	
Owner Address/Phone #/Email	
Engineer Name / Representative	
Engineer Address/Phone #/Email	
Contract Dollar Value	
Percentage Complete	
Current Anticipated Completion Date	

#3 –Similar - Project Name	
Description of Work Performed	
Contract Delivery Method (CM/GC)?	
Owner Name/ Representative	
Owner Address/Phone #/Email	
Engineer Name / Representative	
Engineer Address/Phone #/Email	
Contract Dollar Value	
Percentage Complete	
Current Anticipated Completion Date	

Kannapolis Lake Dam Spillway Replacement Project
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- D. Experience with forming and pouring large complex concrete projects that includes sloping slabs, water stops and complex forming.
- a. Describe one or more projects where your company was involved in forming and pouring spillway chute slabs or sloping (>15% slope) slabs. Include contact information from owner or engineer.

Project #1:

Description: _____
Subcontractor or self-performed: _____
Owner/Contact Name/email and phone: _____
Year Completed: _____ Slab Area in Square Feet and slope: _____ Total Construction Cost: _____

Project #2:

Description: _____
Subcontractor or self-performed: _____
Owner/Contact Name/email and phone: _____
Year Completed: _____ Slab Area in Square Feet and slope: _____ Total Construction Cost: _____

- b. Describe one or more projects where your company was involved in pouring more than 2,500 cy of reinforced concrete. Included contact information from owner or engineer.

Project #1:

Description: _____
Subcontractor or self-performed: _____
Owner/Contact Name/email and phone: _____
Year Completed: _____ Number of Cubic Yards: _____ Total Construction Cost: _____

Project #2:

Description: _____
Subcontractor or self-performed: _____
Owner/Contact Name/email and phone: _____
Year Completed: _____ Number of Cubic Yards: _____ Total Construction Cost: _____

- c. Describe one or more projects where your company was involved with complex forming using items such as PVC water stops. Include contact information from owner or engineer.

Project #1:

Description: _____
Subcontractor or self-performed: _____
Owner/Contact Name/email and phone: _____
Year Completed: _____ Number of Cubic Yards: _____ Total Construction Cost: _____

Project #2:

Description: _____
Subcontractor or self-performed: _____
Owner/Contact Name/email and phone: _____
Year Completed: _____ Number of Cubic Yards: _____ Total Construction Cost: _____

Kannapolis Lake Dam Spillway Replacement Project

Attachment 6 - Prequalification Application Form

E. Experience in dam construction or dam rehabilitation project that requires stream diversion using cofferdams.

- a. Describe one or more projects involving a dam impounding a water supply reservoir. Include contact information from owner or engineer.

Project #1:

Description: _____
Subcontractor or self-performed: _____
Owner/Contact Name/email and phone: _____
Year Completed: _____ Reservoir Impounded: _____ Total Construction Cost: _____

Project #2:

Description: _____
Subcontractor or self-performed: _____
Owner/Contact Name/email and phone: _____
Year Completed: _____ Reservoir Impounded: _____ Total Construction Cost: _____

- b. Describe one or more projects requiring an earth or structural cofferdam with a height of at least 6 feet and temporary bypass measures. Include contact information from owner or engineer.

Project #1:

Description: _____
Subcontractor or self-performed: _____
Owner/Contact Name/email and phone: _____
Year Completed: _____ Height of Cofferdam in Feet: _____ Total Construction Cost: _____

Project #2:

Description: _____
Subcontractor or self-performed: _____
Owner/Contact Name/email and phone: _____
Year Completed: _____ Height of Cofferdam in Feet: _____ Total Construction Cost: _____

F. Experience of general contractor or specialty subcontractor in demolition of reinforced concrete.

- a. Describe one or more projects where your company was involved in demolition of more than 1,000 CY of reinforced concrete. Included contact information from owner or engineer.

Project #1:

Description: _____
Subcontractor or self-performed: _____
Owner/Contact Name/email and phone: _____
Year Completed: _____ Number of Concrete Cubic Yards: _____ Total Construction Cost: _____

Project #2:

Description: _____
Subcontractor or self-performed: _____
Owner/Contact Name/email and phone: _____
Year Completed: _____ Number of Concrete Cubic Yards: _____ Total Construction Cost: _____

Kannapolis Lake Dam Spillway Replacement Project

Attachment 6 - Prequalification Application Form

G. Experience general contractor or specialty subcontractor in construction of drains.

- a. Describe one or more projects requiring a construction of sand/stone drainage systems. Include contact information from owner or engineer.

Project #1:

Description: _____

Subcontractor or self-performed: _____

Owner/Contact Name/email and phone: _____

Year Completed: _____ Drain Type: _____ Total Construction Cost: _____

Project #2:

Description: _____

Subcontractor or self-performed: _____

Owner/Contact Name/email and phone: _____

Year Completed: _____ Drain Type: _____ Total Construction Cost: _____

H. Experience of general contractor or specialty subcontractor in rock excavation.

- a. Describe one or more projects where your company or specialty subcontractor was involved in the excavation of more than 5,000 CY of rock.

Project #1:

Description: _____

Subcontractor or self-performed: _____

Owner/Contact Name/email and phone: _____

Year Completed: _____ Volume of Excavation in Cubic Feet: _____ Total Construction Cost: _____

Project #2:

Description: _____

Subcontractor or self-performed: _____

Owner/Contact Name/email and phone: _____

Year Completed: _____ Volume of Excavation in Cubic Feet: _____ Total Construction Cost: _____

Kannapolis Lake Dam Spillway Replacement Project
Attachment 6 - Prequalification Application Form

SECTION 6. SIGNATURE AND AFFIDAVIT

By signing this document, you are acknowledging that all answers are true to the best of your knowledge. **Any answers found to be falsified will bar you from being prequalified on this project.**

Company Name (as licensed in NC)

Physical Address

Mailing Address

a. Dated this day of: _____

Submitted by: _____

Signature By Authorized Officer

Print Title of Authorized Officer

Phone: _____
Contact person's phone number

E-mail: _____
Contact person's E-mail address

b. Notary Certification:
North Carolina
_____ County

I, a Notary Public of the County and State aforesaid, certify that _____, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official seal, this the _____ day of _____, 20 ____.

(Official Notary Seal or Stamp)

Signature of Notary Public
My commission expires____, 20 ____

Kannapolis Lake Dam Spillway Replacement Project

Attachment 7 - Prequalification Scoring Matrix

Date:

Form #	Description	Score Condition	Max. Score	1 Contractor Name	2 Contractor Name	3 Contractor Name	4 Contractor Name	5 Contractor Name
SECTION 2. MINIMUM CRITERIA FOR PREQUALIFICATIONS								
A	Is your firm registered to do business in the State of North Carolina?	(If "No" then Disqualified otherwise 1)	1					
B	Is your firm a licensed contractor in the State of North Carolina?	(If "No" then Disqualified otherwise 1)	1					
C	Does your company have the resources to bond this project?	(If "No" then Disqualified otherwise 1)	1					
D	Surety Bond Rating							
	a) Surety letter attached?	(If "No" then Disqualified otherwise 1)	1					
	b) Surety bond rating A or better under the A.M. Best Rating system or The Federal Treasury List?	(If "No" then Disqualified otherwise 1)	1					
E	Insurance and indemnification							
	a) Is the company capable of meeting the minimum insurance requirements?	(If "No" then Disqualified otherwise 1)	1					
	b) Copy of company insurance certificate attached?	(If "No" then Disqualified otherwise 1)	1					
F	Has your present company, its officers, owners, or agents ever been barred from bidding public work in North Carolina.	(If "Yes" then Disqualified otherwise 1)	1					
G	Has your present company, its officers, owners, or agents been convicted of charges relating to conflicts of interest, bribery, or bid-rigging in the last five years.	(If "Yes" then Disqualified otherwise 1)	1					
		Subtotal	9	0				
SECTION 3. ADDITIONAL COMPANY INFORMATION								
A	Type of work performed on a regular basis.	(1 dam rehabilitation project completed in last three years, 5 points, otherwise 0 points)	5					
B	Safety Records- Experience Modification Rate of last 3 years (15 point max). Attached OSHA safety records to substantiate EMR rating.	(If present rate <1, 5 points, otherwise 0 points)	5					
		(If last rate <0.9, 5 points, otherwise 0 points)	5					
		(If year before last rate <0.8, 5 points, otherwise 0 points)	5					
C	Safety Records- Has your company ever been fined by OSHA?	(If YES then -10 points, if NO then 0 points)	0					
D	Financials- Is the latest balance sheet and income statement attached?	(If YES then 2 points, if NO 0 points)	2					
E	Have you/your company had any litigation/claims within the last 5 years?	(If 0 then 5 points, if 1 then 0 points and if >1 then -5 points)	5					
F	Have you/your company failed to complete construction contract within the last 5 years.	(If NO then 5 points, if YES -5 points)	5					
G	Has your company paid liquidated damages on a project within the last 3 years?	(If YES then 0 points; if NO 2 points)	2					
		Subtotal	34	0	0	0	0	0
SECTION 4. DEMONSTRATE ABILITY TO CONTROL COST/SCHEDULE ON COMPLEX PROJECTS								
A	Provided two examples showing capability of preparing critical path method construction schedules.	(If 2 examples provided then 5 points, otherwise 0 points)	5					
B	Provides two example projects that demonstrate SOPs used for tracking submittals, RFIs, project costs, etc.	(If 2 examples provided then 5 points, otherwise 0 points)	5					
		Subtotal	10	0	0	0	0	0

Kannapolis Lake Dam Spillway Replacement Project

Attachment 7 - Prequalification Scoring Matrix

Date:

Form #	Description	Score Condition	Max. Score		1 Contractor Name	2 Contractor Name	3 Contractor Name	4 Contractor Name	5 Contractor Name
SECTION 5. PROJECT SPECIFIC REQUIREMENTS									
A	Superintendent Has 3 years dam rehabilitation experience and resume attached	(If YES then 5 points otherwise 0 points)	5						
B	Project manager has 5 years dam rehabilitation experience and resume attached	(If YES then 5 points otherwise 0 points)	5						
C	Experience as general contractor on a dam rehabilitation project with a contract value of at least \$5M in the last 10 years. All required information provided?	(10 points per project with a max of 30 points. If left blank, 0 points)	30						
D	Experience with forming and pouring cast-in-place concrete spillway structures that included water stops and complex forming and/or reinforcement								
	1) One or more project examples provided involving pouring slabs sloping greater than 15%	(All required information provided? If "Yes" then 10 points otherwise 0 points)	10						
	2) One or more project examples provided involving pouring more than 2,500 cy of reinforced concrete.	(All required information provided? If "Yes" then 10 points otherwise 0 points)	10						
	3) One or more project examples provided involving complex forming and/or water stops	(All required information provided? If "Yes" then 10 points otherwise 0 points)	10						
E	Experience in dam construction or dam rehabilitation project that requires stream diversion using cofferdams.								
	1) One or more project examples provided involving a dam impounding a water supply reservoir.	(All required information provided? If "Yes" then 10 points otherwise 0 points)	10						
	2) One or more project examples provided involving a cofferdam of atleast 6 feet in height and temporary bypass measures.	(All required information provided? If "Yes" then 10 points otherwise 0 points)	10						
F	Experience with demolition of more than 1,000 CY of reinforced concrete. One or more project examples.	(All required information provided? If "Yes" then 10 points otherwise 0 points)	10						
G	Experience in construction of drains comprised of sand/stone. One or more project examples.	(All required information provided? If "Yes" then 10 points otherwise 0 points)	10						
H	Experience in excavation of more than 5,000 CY of rock. One or more project examples.	(All required information provided? If "Yes" then 10 points otherwise 0 points)	10						
	Subtotal		120		0	0	0	0	0
SECTION 6. SIGNATURE									
	Fully executed including notary	(If YES then 3 points, if NO then 0)	3						
	Subtotal		3		0	0	0	0	0
TOTAL POINTS									
			176		0	0	0	0	0

Article 8.

Public Contracts.

§ 143-128. Requirements for certain building contracts.

(a) Preparation of specifications. – Every officer, board, department, commission or commissions charged with responsibility of preparation of specifications or awarding or entering into contracts for the erection, construction, alteration or repair of any buildings for the State, or for any county, municipality, or other public body, shall have prepared separate specifications for each of the following subdivisions or branches of work to be performed:

- (1) Heating, ventilating, air conditioning and accessories (separately or combined into one conductive system), refrigeration for cold storage (where the cold storage cooling load is 15 tons or more of refrigeration), and all related work.
- (2) Plumbing and gas fittings and accessories, and all related work.
- (3) Electrical wiring and installations, and all related work.
- (4) General work not included in subdivisions (1), (2), and (3) of this subsection relating to the erection, construction, alteration, or repair of any building.

Specifications for contracts that will be bid under the separate-prime system or dual bidding system shall be drawn as to permit separate and independent bidding upon each of the subdivisions of work enumerated in this subsection. The above enumeration of subdivisions or branches of work shall not be construed to prevent any officer, board, department, commission or commissions from preparing additional separate specifications for any other category of work.

(a1) Construction methods. – The State, a county, municipality, or other public body shall award contracts to erect, construct, alter, or repair buildings pursuant to any of the following methods:

- (1) Separate-prime bidding.
- (2) Single-prime bidding.
- (3) Dual bidding pursuant to subsection (d1) of this section.
- (4) Construction management at risk contracts pursuant to G.S. 143-128.1.
- (5) Alternative contracting methods authorized pursuant to G.S. 143-135.26(9).
- (6) Design-build contracts pursuant to G.S. 143-128.1A.
- (7) Design-build bridging contracts pursuant to G.S. 143-128.1B.
- (8) Public-private partnership construction contracts pursuant to G.S. 143-128.1C.

(a2) Repealed by Session Laws 2012-142, s. 9.4(g), effective July 1, 2012.

(b) Separate-prime contracts. – When the State, county, municipality, or other public body uses the separate-prime contract system, it shall accept bids for each subdivision of work for which specifications are required to be prepared under subsection (a) of this section and shall award the respective work specified separately to responsible and reliable persons, firms or corporations regularly engaged in their respective lines of work. When the estimated cost of work to be performed in any single subdivision or branch for which separate bids are required by this subsection is less than twenty-five thousand dollars (\$25,000), the same may be included in the contract for one of the other subdivisions or branches of the work, irrespective of total project cost. The contracts shall be awarded to the lowest responsible, responsive bidders, taking into consideration quality, performance, the time specified in the bids for performance of the contract, and compliance with G.S. 143-128.2. Bids may also be accepted from and awards made to separate contractors for other categories of work.

Each separate contractor shall be directly liable to the State of North Carolina, or to the county, municipality, or other public body and to the other separate contractors for the full G.S. 143-128

performance of all duties and obligations due respectively under the terms of the separate contracts and in accordance with the plans and specifications, which shall specifically set forth the duties and obligations of each separate contractor. For the purpose of this section, "separate contractor" means any person, firm or corporation who shall enter into a contract with the State, or with any county, municipality, or other public entity to erect, construct, alter or repair any building or buildings, or parts of any building or buildings.

(c) Repealed by Session Laws 2001-496, s. 3, effective January 1, 2001.

(d) Single-prime contracts. – All bidders in a single-prime project shall identify on their bid the contractors they have selected for the subdivisions or branches of work for:

- (1) Heating, ventilating, and air conditioning;
- (2) Plumbing;
- (3) Electrical; and
- (4) General.

The contract shall be awarded to the lowest responsible, responsive bidder, taking into consideration quality, performance, the time specified in the bids for performance of the contract, and compliance with G.S. 143-128.2. A contractor whose bid is accepted shall not substitute any person as subcontractor in the place of the subcontractor listed in the original bid, except (i) if the listed subcontractor's bid is later determined by the contractor to be nonresponsible or nonresponsive or the listed subcontractor refuses to enter into a contract for the complete performance of the bid work, or (ii) with the approval of the awarding authority for good cause shown by the contractor. The terms, conditions, and requirements of each contract between the contractor and a subcontractor performing work under a subdivision or branch of work listed in this subsection shall incorporate by reference the terms, conditions, and requirements of the contract between the contractor and the State, county, municipality, or other public body.

When contracts are awarded pursuant to this section, the public body shall make available to subcontractors the dispute resolution process as provided for in subsection (f1) of this section.

(d1) Dual bidding. – The State, a county, municipality, or other public entity may accept bids to erect, construct, alter, or repair a building under both the single-prime and separate-prime contracting systems and shall award the contract to the lowest responsible, responsive bidder under the single-prime system or to the lowest responsible, responsive bidder under the separate-prime system, taking into consideration quality, performance, compliance with G.S. 143-128.2, and time specified in the bids to perform the contract. In determining the system under which the contract will be awarded to the lowest responsible, responsive bidder, the public entity may consider cost of construction oversight, time for completion, and other factors it considers appropriate. The bids received as separate-prime bids shall be received, but not opened, one hour prior to the deadline for the submission of single-prime bids. The amount of a bid submitted by a subcontractor to the general contractor under the single-prime system shall not exceed the amount bid, if any, for the same work by that subcontractor to the public entity under the separate-prime system. The provisions of subsection (b) of this section shall apply to separate-prime contracts awarded pursuant to this section and the provisions of subsection (d) of this section shall apply to single-prime contracts awarded pursuant to this section.

(e) Project expeditor; scheduling; public body to resolve project disputes. – The State, county, municipality, or other public body may, if specified in the bid documents, provide for assignment of responsibility for expediting the work on a project to a single responsible and reliable person, firm or corporation, which may be a prime contractor. In executing this responsibility, the designated project expeditor may recommend to the State, county, municipality, or other public body whether payment to a contractor should be approved. The

project expediter, if required by the contract documents, shall be responsible for preparing the project schedule and shall allow all contractors and subcontractors performing any of the branches of work listed in subsection (d) of this section equal input into the preparation of the initial schedule. Whenever separate contracts are awarded and separate contractors engaged for a project pursuant to this section, the public body may provide in the contract documents for resolution of project disputes through alternative dispute resolution processes as provided for in subsection (f1) of this section.

(f) Repealed by Session Laws 2001-496, s. 3, effective January 1, 2001.

(f1) Dispute resolution. – A public entity shall use the dispute resolution process adopted by the State Building Commission pursuant to G.S. 143-135.26(11), or shall adopt another dispute resolution process, which shall include mediation, to be used as an alternative to the dispute resolution process adopted by the State Building Commission. This dispute resolution process will be available to all the parties involved in the public entity's construction project including the public entity, the architect, the construction manager, the contractors, and the first-tier and lower-tier subcontractors and shall be available for any issues arising out of the contract or construction process. The public entity may set a reasonable threshold, not to exceed fifteen thousand dollars (\$15,000), concerning the amount in controversy that must be at issue before a party may require other parties to participate in the dispute resolution process. The public entity may require that the costs of the process be divided between the parties to the dispute with at least one-third of the cost to be paid by the public entity, if the public entity is a party to the dispute. The public entity may require in its contracts that a party participate in mediation concerning a dispute as a precondition to initiating litigation concerning the dispute.

(g) Exceptions. – This section shall not apply to:

- (1) The purchase and erection of prefabricated or relocatable buildings or portions thereof, except that portion of the work which must be performed at the construction site.
- (2) The erection, construction, alteration, or repair of a building when the cost thereof is three hundred thousand dollars (\$300,000) or less.
- (3) The erection, construction, alteration, or repair of a building by The University of North Carolina or its constituent institutions when the cost thereof is five hundred thousand dollars (\$500,000) or less.

Notwithstanding the other provisions of this subsection, subsection (f1) of this section shall apply to any erection, construction, alteration, or repair of a building by a public entity. (1925, c. 141, s. 2; 1929, c. 339, s. 2; 1931, c. 46; 1943, c. 387; 1945, c. 851; 1949, c. 1137, s. 1; 1963, c. 406, ss. 2-7; 1967, c. 860; 1973, c. 1419; 1977, c. 620; 1987 (Reg. Sess., 1988), c. 1108, ss. 4, 5; 1989, c. 480, s. 1; 1995, c. 358, s. 4; c. 367, ss. 1, 4, 5; c. 509, s. 79; 1998-137, s. 1; 1998-193, s. 1; 2001-496, ss. 3, 13; 2002-159, s. 42; 2007-322, s. 3; 2012-142, s. 9.4(g); 2013-401, s. 3.)

§ 143-128.2. Minority business participation goals.

(a) The State shall have a verifiable ten percent (10%) goal for participation by minority businesses in the total value of work for each State building project, including building projects done by a private entity on a facility to be leased or purchased by the State. A local government unit or other public or private entity that receives State appropriations for a building project or other State grant funds for a building project, including a building project done by a private entity on a facility to be leased or purchased by the local government unit, where the project cost is one hundred thousand dollars (\$100,000) or more, shall have a verifiable ten percent (10%) goal for participation by minority businesses in the total value of the work; provided, however, a local government unit may apply a different verifiable goal that was adopted prior to December 1, 2001, if the local government unit had and continues to have a sufficiently strong basis in evidence to justify the use of that goal. On State building projects and building projects subject to the State goal requirement, the Secretary shall identify the appropriate percentage goal, based on adequate data, for each category of minority business as defined in G.S. 143-128.2(g)(1) based on the specific contract type.

Except as otherwise provided for in this subsection, each city, county, or other local public entity shall adopt, after a notice and public hearing, an appropriate verifiable percentage goal for participation by minority businesses in the total value of work for building projects.

Each entity required to have verifiable percentage goals under this subsection shall make a good faith effort to recruit minority participation in accordance with this section or G.S. 143-131(b), as applicable.

(b) A public entity shall establish prior to solicitation of bids the good faith efforts that it will take to make it feasible for minority businesses to submit successful bids or proposals for the contracts for building projects. Public entities shall make good faith efforts as set forth in subsection (e) of this section. Public entities shall require contractors to make good faith efforts pursuant to subsection (f) of this section. Each first-tier subcontractor on a construction management at risk project shall comply with the requirements applicable to contractors under this subsection.

(c) Each bidder, which shall mean first-tier subcontractor for construction manager at risk projects for purposes of this subsection, on a project bid under any of the methods authorized under G.S. 143-128(a1) shall identify on its bid the minority businesses that it will use on the project and an affidavit listing the good faith efforts it has made pursuant to subsection (f) of this section and the total dollar value of the bid that will be performed by the minority businesses. A contractor, including a first-tier subcontractor on a construction manager at risk project, that performs all of the work under a contract with its own workforce may submit an affidavit to that effect in lieu of the affidavit otherwise required under this subsection. The apparent lowest responsible, responsive bidder shall also file the following:

- (1) Within the time specified in the bid documents, either:
 - a. An affidavit that includes a description of the portion of work to be executed by minority businesses, expressed as a percentage of the total contract price, which is equal to or more than the applicable goal. An affidavit under this sub-subdivision shall give rise to a presumption that the bidder has made the required good faith or effort; or
 - b. Documentation of its good faith effort to meet the goal. The documentation must include evidence of all good faith efforts that were implemented, including any advertisements, solicitations, and evidence of other specific actions demonstrating recruitment and selection of minority businesses for participation in the contract.

- (2) Within 30 days after award of the contract, a list of all identified subcontractors that the contractor will use on the project.

Failure to file a required affidavit or documentation that demonstrates that the contractor made the required good faith effort is grounds for rejection of the bid.

(d) No subcontractor who is identified and listed pursuant to subsection (c) of this section may be replaced with a different subcontractor except:

- (1) If the subcontractor's bid is later determined by the contractor or construction manager at risk to be nonresponsible or nonresponsive, or the listed subcontractor refuses to enter into a contract for the complete performance of the bid work, or
- (2) With the approval of the public entity for good cause.

Good faith efforts as set forth in G.S. 143-131(b) shall apply to the selection of a substitute subcontractor. Prior to substituting a subcontractor, the contractor shall identify the substitute subcontractor and inform the public entity of its good faith efforts pursuant to G.S. 143-131(b).

(e) Before awarding a contract, a public entity shall do the following:

- (1) Develop and implement a minority business participation outreach plan to identify minority businesses that can perform public building projects and to implement outreach efforts to encourage minority business participation in these projects to include education, recruitment, and interaction between minority businesses and nonminority businesses.
- (2) Attend the scheduled prebid conference.
- (3) At least 10 days prior to the scheduled day of bid opening, notify minority businesses that have requested notices from the public entity for public construction or repair work and minority businesses that otherwise indicated to the Office of Historically Underutilized Businesses an interest in the type of work being bid or the potential contracting opportunities listed in the proposal. The notification shall include the following:
 - a. A description of the work for which the bid is being solicited.
 - b. The date, time, and location where bids are to be submitted.
 - c. The name of the individual within the public entity who will be available to answer questions about the project.
 - d. Where bid documents may be reviewed.
 - e. Any special requirements that may exist.
- (4) Utilize other media, as appropriate, likely to inform potential minority businesses of the bid being sought.

(f) A public entity shall require bidders to undertake the following good faith efforts to the extent required by the Secretary on projects subject to this section. The Secretary shall adopt rules establishing points to be awarded for taking each effort and the minimum number of points required, depending on project size, cost, type, and other factors considered relevant by the Secretary. In establishing the point system, the Secretary may not require a contractor to earn more than fifty (50) points, and the Secretary must assign each of the efforts listed in subdivisions (1) through (10) of this subsection at least 10 points. The public entity may require that additional good faith efforts be taken, as indicated in its bid specifications. Good faith efforts include:

- (1) Contacting minority businesses that reasonably could have been expected to submit a quote and that were known to the contractor or available on State or local government maintained lists at least 10 days before the bid or proposal date and notifying them of the nature and scope of the work to be performed.

- (2) Making the construction plans, specifications and requirements available for review by prospective minority businesses, or providing these documents to them at least 10 days before the bid or proposals are due.
 - (3) Breaking down or combining elements of work into economically feasible units to facilitate minority participation.
 - (4) Working with minority trade, community, or contractor organizations identified by the Office of Historically Underutilized Businesses and included in the bid documents that provide assistance in recruitment of minority businesses.
 - (5) Attending any prebid meetings scheduled by the public owner.
 - (6) Providing assistance in getting required bonding or insurance or providing alternatives to bonding or insurance for subcontractors.
 - (7) Negotiating in good faith with interested minority businesses and not rejecting them as unqualified without sound reasons based on their capabilities. Any rejection of a minority business based on lack of qualification should have the reasons documented in writing.
 - (8) Providing assistance to an otherwise qualified minority business in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letters of credit, including waiving credit that is ordinarily required. Assisting minority businesses in obtaining the same unit pricing with the bidder's suppliers in order to help minority businesses in establishing credit.
 - (9) Negotiating joint venture and partnership arrangements with minority businesses in order to increase opportunities for minority business participation on a public construction or repair project when possible.
 - (10) Providing quick pay agreements and policies to enable minority contractors and suppliers to meet cash-flow demands.
- (g) As used in this section:
- (1) The term "minority business" means a business:
 - a. In which at least fifty-one percent (51%) is owned by one or more minority persons or socially and economically disadvantaged individuals, or in the case of a corporation, in which at least fifty-one percent (51%) of the stock is owned by one or more minority persons or socially and economically disadvantaged individuals; and
 - b. Of which the management and daily business operations are controlled by one or more of the minority persons or socially and economically disadvantaged individuals who own it.
 - (2) The term "minority person" means a person who is a citizen or lawful permanent resident of the United States and who is:
 - a. Black, that is, a person having origins in any of the black racial groups in Africa;
 - b. Hispanic, that is, a person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race;
 - c. Asian American, that is, a person having origins in any of the original peoples of the Far East, Southeast Asia and Asia, the Indian subcontinent, or the Pacific Islands;
 - d. American Indian, that is, a person having origins in any of the original Indian peoples of North America; or

e. Female.

(3) The term "socially and economically disadvantaged individual" means the same as defined in 15 U.S.C. 637.

(h) The State, counties, municipalities, and all other public bodies shall award public building contracts, including those awarded under G.S. 143-128.1, 143-129, and 143-131, without regard to race, religion, color, creed, national origin, sex, age, or handicapping condition, as defined in G.S. 168A-3. Nothing in this section shall be construed to require contractors or awarding authorities to award contracts or subcontracts to or to make purchases of materials or equipment from minority-business contractors or minority-business subcontractors who do not submit the lowest responsible, responsive bid or bids.

(i) Notwithstanding G.S. 132-3 and G.S. 121-5, all public records created pursuant to this section shall be maintained by the public entity for a period of not less than three years from the date of the completion of the building project.

(j) Except as provided in subsections (a), (g), (h) and (i) of this section, this section shall only apply to building projects costing three hundred thousand dollars (\$300,000) or more. This section shall not apply to the purchase and erection of prefabricated or relocatable buildings or portions thereof, except that portion of the work which must be performed at the construction site. (2001-496, s. 3.1.)

§ 143-135.8. Prequalification.

(a) Except as provided in this section, bidders may not be prequalified for any construction or repair work project.

(b) A governmental entity may prequalify bidders for a particular construction or repair work project when all of the following apply:

- (1) The governmental entity is using one of the construction methods authorized in G.S. 143-128(a1)(1) through G.S. 143-128(a1)(3).
- (2) The board or governing body of the governmental entity adopts an objective prequalification policy applicable to all construction or repair work prior to the advertisement of the contract for which the governmental entity intends to prequalify bidders.
- (3) The governmental entity has adopted the assessment tool and criteria for that specific project, which must include the prequalification scoring values and minimum required score for prequalification on that project.

(c) The objective prequalification policy adopted by a governmental entity pursuant to subdivision (2) of subsection (b) of this section shall meet all of the following criteria:

- (1) Must be uniform, consistent, and transparent in its application to all bidders.
- (2) Must allow all bidders who meet the prequalification criteria to be prequalified to bid on the construction or repair work project.
- (3) Clearly state the prequalification criteria, which must comply with all of the following:
 - a. Be rationally related to construction or repair work.
 - b. Not require that the bidder has previously been awarded a construction or repair project by the governmental entity.
 - c. Permit bidders to submit history or experience with projects of similar size, scope, or complexity.
- (4) Clearly state the assessment process of the criteria to be used.
- (5) Establish a process for a denied bidder to protest to the governmental entity denial of prequalification, which process shall be completed prior to the opening of bids under G.S. 143-129(b) and which allows sufficient time for a bidder subsequently prequalified pursuant to a protest to submit a bid on the contract for which the bidder is subsequently prequalified.
- (6) Outline a process by which the basis for denial of prequalification will be communicated in writing, upon request, to a bidder who is denied prequalification.

(d) If the governmental entity opts to prequalify bidders, bids submitted by any bidder not prequalified shall be deemed nonresponsive. This subsection shall not apply to bidders initially denied prequalification that are subsequently prequalified pursuant to a protest under the governmental entity's prequalification policy.

(e) Prequalification may not be used for the selection of any qualification-based services under Article 3D of this Chapter, G.S. 143-128.1A, G.S. 143-128.1B, G.S. 143-128.1C, or the selection of the construction manager at risk under G.S. 143-128.1.

(f) For purposes of this section, the following definitions shall apply:

- (1) Governmental entity. – As defined in G.S. 143-128.1B(a)(6).
- (2) Prequalification. – A process of evaluating and determining whether potential bidders have the skill, judgment, integrity, sufficient financial resources, and ability necessary to the faithful performance of a contract for construction or repair work. (1995, c. 367, s. 8; 2014-42, s. 1.)

Resolution #2017-30

**RESOLUTION ADOPTING THE POLICY
FOR PREQUALIFICATION OF BIDDERS
FOR CONSTRUCTION CONTRACTS**

WHEREAS, prequalification is a process of evaluating and determining whether potential bidders have the skill, judgment, integrity, sufficient financial resources, and ability necessary for the faithful performance of a contract for construction or repair work; and

WHEREAS, N.C.G.S. 143-135.8 authorizes governmental entities to prequalify bidders for construction or repair work projects when using certain construction methods when the governing body adopts an objective prequalification policy applicable to all construction or repair work prior to the advertisement of the contract for which the governmental entity intends to prequalify bidders, and when the governmental entity has adopted the assessment tool and criteria for that specific project, which must include the prequalification scoring values and minimum required score for prequalification on that project; and

WHEREAS, N.G.G.S. 143-135.8 further requires the objective prequalification policy meet all of the following criteria:

- (1) Must be uniform, consistent, and transparent in its application to all bidders;
 - (2) Must allow all bidders who meet the prequalification criteria to be prequalified to bid on the construction or repair work project;
 - (3) Clearly state the prequalification criteria, which must comply with all of the following:
 - (a) Be rationally related to construction or repair work;
 - (b) Not require that the bidder has previously been awarded a construction or repair project by the governmental entity;
 - (c) Permit bidders to submit history or experience with projects of similar size, scope, or complexity;
 - (4) Clearly state the assessment process of the criteria to be used;
 - (5) Establish a process for denied bidder to protest to the governmental entity denial of prequalification, which process shall be completed prior to the opening of bids under G.S. 143-129(b) and which allows sufficient time for a bidder subsequently prequalified pursuant to a protest to submit a bid on the contract for which the bidder is subsequently prequalified;
 - (6) Outline a process by which the basis for denial of prequalification will be communicated in writing, upon request, to a bidder who is denied prequalification;
- and

WHEREAS, if the government entity opts to prequalify bidders, bids submitted by any bidder not prequalified shall be deemed nonresponsive, except for bidders initially denied prequalification that are subsequently prequalified pursuant to a project under the governmental entity's prequalification policy; and

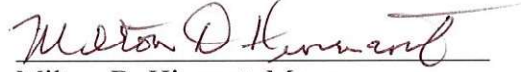
WHEREAS, the City of Kannapolis intends to use a construction manager at risk for some future projects and N.C.G.S. 143-128.1 outlines how the construction manager at risk must use the prequalification process; and

Attachment 11 - City of Kannapolis Prequalification Policy

WHEREAS, City Staff recommend adoption of the attached prequalification policy for construction projects.

NOW, THEREFORE, BE IT RESOLVED that the Kannapolis City Council hereby adopts the attached Policy and Criteria for the Prequalification of Bidders for Construction Contracts.

Adopted this the 12th day of June, 2017.


Milton D. Hinnant, Mayor

Attest:


Bridgette Bell, MMC, NCCMC
City Clerk

CITY OF KANNAPOLIS
CONSTRUCTION FIRST-TIER CONTRACTOR
PREQUALIFICATION POLICY

A. Governing Law (North Carolina General Statutes Chapter 143-Article 8 "Public Contracts")

This policy is in effect for all prequalifications for City of Kannapolis Construction Manager at Risk first-tier subcontractors. G.S.143-135.8(b)(2) requires the city to "adopt an objective prequalification policy applicable to all construction or repair work prior to the advertisement of the contract for which the governmental entity intends to prequalify bidders" or as required to do so. Prequalification is the "process of evaluating and determining whether potential bidders have the skill, judgment, integrity, sufficient financial resources, and ability necessary to the faithful performance of a contract for construction or repair work." G.S. 143-135.8(f).

The Construction Manager at Risk ("CM at Risk") shall use the process outlined in this policy for the prequalification of first-tier subcontractors on CM at Risk projects. "First-tier subcontractor" means a subcontractor who contracts directly with the construction manager at risk. G.S. 143-128.1(a)(4). The Construction Manager at Risk and the City shall jointly develop the assessment tool and criteria for each CM at Risk project, including the prequalification scoring values and minimum requirement score.

Notwithstanding the fact that a subcontractor was prequalified, the City and/or the Construction Manager at Risk reserves the right to reject a subcontractor's bid if it is determined that the subcontractor has not submitted the lowest responsible and responsive bid. The prequalification of the subcontractor shall not preclude the City from subsequently concluding that the subcontractor is not a responsible and responsive bidder pursuant to G. S. 143-129. The prequalification of a subcontractor for a project shall only apply to the individual project. All construction and repair contracts shall be awarded to the lowest responsive and responsible bidder, taking into consideration quality, performance, and the time specified in the bids for the performance of the contract.

B. Requirements for Prequalification Criteria Form and Assessment

1. Uniform, consistent, and transparent in its application to all bidders.
2. All bidders who meet the prequalification criteria to be prequalified are allowed to bid on the construction or repair work project.
3. Criteria must be rationally related to construction or repair work.
4. The bidder is not required to have been previously awarded a construction or repair project by the governmental entity.
5. Bidders are permitted to submit history or experience with projects of similar size, scope, or complexity.
6. Assessment process of prequalification is stated in this policy. See attached.
7. A process for a denied bidder to protest is stated below in this policy.
8. A process for notifying a denied prequalified bidder is stated below in this policy.

C. Review of Application

1. **Prequalification Committee** – The City of Kannapolis and/or Construction Manager at Risk shall agree upon the members of the Prequalification Committee. The Prequalification Committee will review prequalification applications submitted by the subcontractors and will determine each firm's prequalification eligibility for the project.
2. **Review of Application** – The Prequalification Committee shall use the Prequalification Form developed by the Construction Manager at Risk. (copy attached) The Prequalification Committee shall approve or deny the applications in accordance with the prequalification pass/fail system based upon the applicants' initial response to the Prequalification Form. With the possible protests and appeals on prequalification and the times associated with responses, the public entity or its contractor should endeavor to have the advertisement for prequalification out to potential applicants at least two (2) weeks prior to actual bid date.
3. **Notice of Decision** – All firms that submitted applications for prequalification shall be promptly notified of the Prequalification Committee's decision, including the reason for denial, via e-mail. Notice shall be provided prior to the opening of bids for the project and with sufficient time for the firm to appeal the denial of prequalification.
4. **Informal Meeting** – Upon denial, the applicant may request an informal meeting with the owner's representative and/or construction manager to receive feedback and suggestions for improvement. The City of Kannapolis' representative and/or Construction Manager at Risk shall hold a feedback session for the applicants who do not appeal the decision within 2 weeks of the request.
5. **Appeals** - Subcontractors wishing to appeal the decision shall follow the appeals process described below.

D. Appeals Procedure

1. The subcontractor may appeal the denial of Prequalification as follows:
 - a. **Appeal** – A subcontractor denied prequalification may protest the Prequalification Committee's decision by filing a written appeal via hand-delivery or e-mail to the applicable Prequalification Committee within two business days of emailed notice that the firm has been denied prequalification. The written appeal shall clearly articulate the reasons why the subcontractor is contesting the denial (i.e., explains how the firm satisfied all required criteria for prequalification in the solicitation in their initial response) and attach all documents supporting the subcontractor's position. The Prequalification Committee may contact the subcontractor regarding the information provided prior to ruling on the protest.
 - b. **Review Process** – The final determination of the protest shall: (i) find the protest lacking in merit and uphold the original action; or (ii) find only technical or harmless errors in the assessment process and uphold the original action; (iii) find merit in the specific protest; or (iv) correct the errors and re-evaluate the assessment point scoring. The Prequalification Committee will review the written appeal within two business days of receipt.
 - c. **Decision Notification** - If the Prequalification Committee is satisfied that the firm should be prequalified, the firm shall be notified on the day of the decision by e-mail that it is prequalified to bid on the project and allowed to participate in the bid process. If the prequalification committee upholds its denial, the firm shall be notified on the day of the decision by e-mail in writing via e-mail.

Attachment 11 - City of Kannapolis Prequalification Policy

- d. **Decision Final on Appeal** – The Prequalification Committee’s decision on the appeal shall be final.
- e. **General Rules for Appeals** – Firms submitting prequalification applications shall be provided an e-mail address for the communication with the City and/or Construction Manager during the appeal process. The firm shall provide at least two e-mail addresses for use of the City and/or Construction Manager in communicating with the firm. In the event there is no decision on the appeal prior to the bid date, the firm shall be allowed to submit a bid on the project subject to a final decision on the appeal. If the firm’s bid is opened prior to a final decision on the appeal and the bid is not the lowest monetary bid for the project, the appeal shall be terminated and rendered moot. Bids received from firms who have been ruled disqualified to bid shall not be opened. A firm’s failure to comply with any requirements of the appeals procedures of this section shall result in the firm’s protest or appeal being terminated and rendered moot.

Adopted by Resolution of City Council this the 12 day of June, 2017.



PREQUALIFICATION PROCESS

KANNAPOLIS DOWNTOWN INFRASTRUCTURE & STREETSCAPE and DOWNTOWN SPORTS & ENTERTAINMENT VENUE

The following prequalification process will be used on the above referenced project to prequalify Subcontractors for the Construction Manager at Risk contracted project.

1.1. PREQUALIFICATION OF BIDDER

- 1.1.1. Per City of Kannapolis ("Owner") Construction First-Tier Contractor Prequalification Policy and in compliance with GS 143-135.8, any first-tier subcontractor bidder ("Subcontractor") must be prequalified by the Construction Manager ("CM") in order to submit a qualified bid proposal. A bidder must submit the Prequalification Form included in the Bid Documents at least eight (8) days prior to the bid opening date.

- 1.1.1.1. The City of Kannapolis Construction First-Tier Contractor Prequalification Policy can found in the Bid Documents or via this link
<https://bartonmalow.box.com/v/CityKnapPrequalPolicy>

- 1.1.2. The Owner and CM reserve the right to request Prequalification Forms or additional information from any Subcontractor before issuing documents, receiving Bid Proposals or awarding a Subcontract. The right to waive any informalities or irregularities in qualification materials is reserved by the Owner and CM.

- 1.1.3. Bid Proposals received from Subcontractors that are not prequalified may be returned to Subcontractors unopened.

1.1.4. PREQUALIFICATION PROCESS

- 1.1.4.1. Subcontractors will be evaluated upon the following criteria during the prequalification process

- 1.1.4.1.1. Financial Health & Capability
 - 1.1.4.1.2. Compliance with the Terms & Conditions of the Subcontract Agreement
 - 1.1.4.1.3. Ability to provide required Insurance coverage
 - 1.1.4.1.4. Current applicable licenses
 - 1.1.4.1.5. Past relevant project experience
 - 1.1.4.1.6. Bonding ability and capacity

- 1.1.4.2. Subcontractors can be prequalified at one of two levels – for valued under \$300,000 or work valued over \$300,000. The Subcontractor must be prequalified at the level consistent with the value of their bid proposal.

- 1.1.4.3. To initiate the prequalification process, the Subcontractor must first submit a Project Information Form ("PIF") to the CM. The PIF is included in the Bid Advertisement. Once the PIF is received by the CM, the CM will email the Subcontractor a user-name and password for the CM's online Corporate Procurement System ("CPS"). Upon receipt of the CPS user-name and password, the Subcontractor must promptly login to CPS and submit the following information:

- 1.1.4.3.1. For Subcontracts with a value up to \$300,000: Provide general business information; a current W-9; and undergo a review of company legal history (past and current lawsuits/bankruptcy's over past 5 years);
 - 1.1.4.3.2. For Subcontracts with a value over \$300,000: Provide general business information; a current W-9; undergo a review of company legal history (past and current lawsuits/bankruptcy's over past 5



PREQUALIFICATION PROCESS

KANNAPOLIS DOWNTOWN INFRASTRUCTURE & STREETSCAPE and DOWNTOWN SPORTS & ENTERTAINMENT VENUE

years); have safety, bonding, and financial reviews based on submittal of 3 years of audited financial statements; provide a letter from surety providing project and total capacity bonding limits; provide 3 years of OSHA 300A and 300 and EMRs;

- 1.1.4.4. Upon Subcontractor's submission and CM's review of the required information to CPS, the Subcontractor will receive an email notification of its registration completion and contract limit. ("CPS Approval Email").
- 1.1.4.5. The contractor shall complete the prequalification process by submitting the Prequalification Form for this specific project. The Prequalification Form can be found in the bid documents or via this link: <https://bartonmalow.box.com/v/KIP1PrequalForm>. The Prequalification Form must be filled out electronically and submitted via email to BMCCarolinas@gmail.com.
- 1.1.4.6. A minimum scoring value of 30 points will be achieved by successfully submitting the form and completing of the prequalification process. For reference, the scoring rubric can found in the bid documents or via this link: <https://bartonmalow.box.com/v/KIP1PrequalScoringRubric>
- 1.1.4.7. Information submitted on the Prequalification Form is subject to review and verification of accuracy and compliance by the Owner and CM.
- 1.1.5. PREQUALIFICATION DENIAL & APPEAL
 - 1.1.5.1. Any contractor denied prequalification reserves the right to appeal the status per the City of Kannapolis Construction First-Tier Contractor Prequalification Policy.