Business Name: EIN:

CITY OF COLUMBUS

CONSTRUCTION PREQUALIFICATION APPLICATION

CONSTRUCTION PREQUALIFICATION
Director of Finance and Management
Joe Lombardi

Applications are accepted on a continuous basis. Returning applicants should review their Prequalified Responsible Certificate regarding when to re-apply.

Revised: July 2018

FOR OFFICE USE ONLY

Received Date: _____

Renewal Application ☐ **Status Determination Expired** ☐ **First Time Applicant** ☐

Current Status Determination		Previous Status Determination	
Responsible	☐	Responsible	☐
Provisionally Responsible	☐	Provisionally Responsible	☐
Not Responsible	☐	Not Responsible	☐

Status Determination Expiration Date:

CONTACT INFORMATION

Business Name: _____

DBA: _____

Type of Business
(Corp., Sub Corp., Partnership, Sole Proprietorship): _____
(All members of a joint venture must submit a prequalification application separately.)

Fiscal Year Start Date: ☐ **Fiscal Year End Date:** ☐

Submitted By: **Title:**

Owner of Bussiness (*first, middle, last name*):

Business Address

Street:

City:

State:

Zip:

Contact Name: **Title:**

Phone #:

Email:

Fax #

Federal ID #

Social Security # (sole proprietorship only):

CHECK APPLICABLE REQUEST:

POTENTIAL BIDDER
Chose this option if you may submit a bid to the City for any construction service work.

- ☐ 1st Time prequalification request
- ☐ Renewal
- ☐ Reinstatement of an expired prequalification status

LICENSED CONSTRUCTION TRADE SUBCONTRACT WORK ONLY (see page 1)
Chose this option if you are a licensed construction trade subcontractor who will not submit a bid to the City for any construction service work.

- ☐ 1st Time prequalification request
- ☐ Renewal
- ☐ Reinstatement of an expired prequalification status

An application and related documents may only be submitted via email
prequalification@columbus.gov **or fax** (614)645-5818.

A prequalification status determination will be made within thirty (30) calendar days of receipt of an application. Any omitted information may result in an unfavorable determination.

Should you have any questions, please contact this office at (614)645-0359 or
prequalification@columbus.gov

Business Name: EIN:

Note: This application has been revised as of March 2018 (New criteria and change in criteria points).

Review PrequalificationApplication Tips and Examples, Before Completing Application

Tips and Examples

Business Name: EIN:

TABLE OF CONTENTS

INTRODUCTION 1

SUPPORTING DOCUMENTATION 2-3

Workers' Compensation 4

Unemployment Compensation Policy 4

Bonding 4

Financial Statements 4

Debarment 4

City Taxes 4

Local Workforce 5

Quality Training Contractor 6

Health Insurance 8

Retirement/Pension Program 9

Local Business 10

Debarment 11

Criminal Conviction 11

Civil Liability 12

City Litigation 12

Bond Claims 12

Liquidated Damages 13

Non-Discrimination 13

Socially Responsible 13

Labor Standards 14

Prevailing Wage 15

Unemployment Compensation 16

Workers' Compensation 17

OSHA Unsatisfactory Judgment 18

OSHA Penalties 19

Licenses 20

Worker Classification 21

Worker Identification 22

EPA 23

OSHA Plan 24

OSHA Log 24

Experience Modification Rating (EMR) 24

Compliance with Ohio's Drug Free Workplace Requirements 25

BONDING CAPACITY AFFIDAVIT 26

APPLICATION AFFIDAVIT 27

LOCAL WORKFORCE WORKSHEET –City of Columbus Only(CRITERIA 7) 28

LOCAL BUSINESS AFFIDAVIT(CRITERIA11) 29

Business Name: EIN:

The Do's and Don'ts of the Construction Prequalification Application

Do

- Do refer to Page 1 of this application to determine if your business needs to be prequalified to perform construction service work with the City.
- Do submit your application during your specified renewal period (**please reference your Prequalified Responsible Certificate for your renewal dates**).
- Do double check your application to ensure all questions have been answered and all supporting documentation is attached as requested in the application.
- Do make your application contact person the person that will respond to this office in a timely manner with any questions or concerns we may have regarding your application. This office will only communicate and/or make contact with the person listed as the contact person in the application.
- Do provide an explanation for any documentation submitted that you feel may not be clear to this office as to what the documentation means or represents. Explanations may be written directly on the documentation or a separate attachment.
- **Do make sure that the notary seals are viewable in fax or email**
- Do allow 30 days from the date of receipt of your application for it to be processed.
- Do call the office if you have questions while completing the application.

Do Not

- **DO NOT submit your application via mail or hand delivery.**
- Do not send your application or any information requested by this office in a zip file or locked file.
- Do not submit your application to this office multiple times. Please use only one method (fax or email).
- Do not submit handwritten applications. The application is available in PDF fill-in format.
- Do not allow spouses and/or family members of officers of the company to notarize affidavits in the application.
- **Do not submit the following documents as the instructions are specific regarding what information is needed for each criteria:**
    - **A copy of your health insurance plan**
    - **A copy of your retirement/pension plan**
    - **A copy of your lease agreement**
    - **A copy of union contracts**

ANSWER THIS APPLICATION CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A FULLY COMPLETED QUESTIONNAIRE MAY RESULT IN THE REJECTION OF THE PREQUALIFICATION SUBMISSION. MAKING ANY UNAUTHORIZED CHANGE OR ALTERATION TO THE APPLICATION WILL RENDER IT VOID.

Business Name: EIN:

Construction Prequalification Application

INTRODUCTION

In accordance with the statutes of the City of Columbus, a city agency may enter into contracts on behalf of the city for the procurement of construction services so as long as it is in compliance with the provisions of Chapter 329.21 of the City Code.

Per Chapter 329.21(g):

Only potential bidders prequalified responsible or prequalified provisionally responsible by bid due date may be awarded a contract for city construction service work.

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

Licensed construction trade subcontractors are as follows:

- Heating
- Ventilating
- Air conditioning
- Refrigeration
- Electrical
- Plumbing
- Hydronics
- Fire protection or fire equipment

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

All potential bidders and all licensed construction trade subcontractors seeking to perform any portion of work on city construction service work must submit to the Office of Construction Prequalification, a full and complete application for responsibility prequalification on an annual basis. The City of Columbus has prepared this application and has prescribed it as the prequalification application which must be executed and submitted for the use of the City of Columbus in determining the prequalification status of prospective bidders and licensed construction trade subcontractors.

An applicant must do <u>all</u> of the following (see criteria headings for point distribution):

Meet <u>all</u> criteria in Category A
Meet 3 of 5 criteria in Category B
Meet point threshold
- Prequalified Responsible 200-151 points
- Prequalified Provisionally Responsible 150-131 points
- Prequalified Not Responsible 130 points or less

Business Name: EIN;

Criteria	Required Documentation to Meet Criteria	Criteria	Required Documentation to Meet Criteria
☐ 1	☐ Ohio Bureau of Workers Compensation (BWC) Certificate ☐ **Self-insured:** A copy of the Certificate of Employer's Right to Pay Compensation Directly from Ohio BWC.	☐ 2	**Liable:** Summary of Prior Debits from Ohio Department of Jobs and Family Services (ODJFS) online account (found on Manage Payments tab). **OR** Letter from Ohio Department of Jobs and Family Services (ODJFS) stating that there is no outstanding balance. Letter can be no older than 30 days prior to the date it is received by the Office of Construction Prequalification. **Non-liable in state of Ohio:** Provide documentation from ODJFS stating business is not liable. Letter can be no older than 30 days prior to the date it is received by the Office of Construction Prequalification. ☐ ODJFS: (614)466-2319. http://jfs.ohio.gov/ouc/uctax/registering_as_an_employer.stm **Out of state applicants**: Reference footnote on criteria page and above. **3rd party payer:** See options above or letter from 3rd party payer dated within the last 30 days on the 3rd party's letter head, that notes what benefit is provided and that it is current and active. ODJFS:(614)466-2319: http://jfs.ohio.gov/ouc/uctax/registering_as_an_employer.stm *Documentation submitted must be in the name of the applicant.*
☐ 3	☐ Notarized letter from surety company that does the following: ☐ dated within the last 30 days; ☐ states that the surety is prepared to provide a performance and payment bond; ☐ signed by the surety company's Attorney-In-Fact; includes the Surety Power of Attorney **AND** ☐ Submit the signed Bonding Affidavit in the application	☐ 6	A copy of the Construction Prequalification Letter. Letter can be no older than 30 days prior to the date of receipt, of the application. Letter can be obtained from **The City of Columbus Income Tax Division at (614) 645-8368.**
☐ 7	If **true**, complete Criteria page **and** Local Workforce Worksheet, within the application. **Payroll Reports will not be accepted. Attach additional Local Workforce Worksheets if needed.** Verify all addresses before submitting application. Addresses can be verified at: https://www.columbus.gov/incometaxdivision/ **OR** http://property.franklincountyauditor.com/_web/search/commonsearch.aspx?mode=address	☐ 9	☐ Letter from benefit provider stating the benefit provided and the current as of date or that the applicant is current. Letter must not be older than 30 days from date that it is received by the Office of Construction Prequalification. ☐ **Benefit provided via union(s):** A letter from the union(s) noting the benefit provided and the current as of date or that the applicant is current. Letter must not be older than 30 days from date that it is received by the Office of Construction Prequalification. *Complete all information on criteria page. Use union contract dates for policy dates if benefits provided via union.* ☐ **3rd party payer:** See options above or letter from 3rd party payer dated within the last 30 days on the 3rd party's letterhead that notes what benefit is provided and that it is current and active.

Criteria	Required Documentation to Meet Criteria	Criteria	Required Documentation to Meet Criteria
☐ 10	☐ Letter from benefit provider stating the benefit provided and the current as of date. Letter must not be older than 30 days from date that it is received by the Office of Construction Prequalification. ☐ Benefit provided via union(s): A letter from the union(s) noting the benefit provided and the current as of date or that the applicant is current. Letter must not be older than 30 days from date that it is received by the Office of Construction Prequalification. *Complete all information on criteria page. Use union contract dates for policy dates if benefits provided via union.* ☐ 3rd party payer: See options above or letter from 3rd party payer dated within the last 30 days on the 3rd party's letterhead that notes what benefit is provided and that it is current and active.	☐ 11	☐ Submit Local Business Affidavit that is located within the application. Criteria 6 must also be met. • Local Business Affidavit can be no older than 30 days from date that itis received by the Office of Construction Prequalification. ☐ Dual ownership (property owner and applicant): Proof of ownership that notes transfer date. Business address can be verified at: http://property.franklincountyauditor.com/_web/search/commonsearch.aspx?mode=address
☐ 19	Please submit the following: a signed Memorandum of Understanding (MOU), contract or letter from a certified apprentice program that has an on-going contract with an employment service organization, or a contract with an employment services organization that includes: A. A declaration on the part of the business that it intends to hire, retain, provide advancement opportunities to formerly incarcerated persons and/or displaced workers; B. A commitment from the employment service organization to act as an intermediary between the business and the employee(s) whose employment stems from (A) in the event that human resource-related issues arise and the business requests assistance; C. A thorough description of the job retention support services that the business and/or the employment service organization will provide (e.g. transportation, childcare, food assistance and wellness benefits, housing assistance, education and career training, mentorship and coaching, financial literacy training, etc.)	☐ 20d	☐ A copy of the Ohio Bureau of Workers' Compensation coverage history* Log in to the Ohio Bureau of Workers' Compensation*: • Click "Employer" tab, • Select "Policy Management" (box on left) • Select "Coverage History" (box on right) • Enter BWC Policy # or EIN/FID **Documentation from website must show date accessed* ☐ Self-insured: Certificate of Employer's Right to Pay Compensation Directly if self-insured (Documentation must represent 5 years (prior to date of receipt of application). Bureau of Workers Compensation Certificate is not acceptable
☐ 20m	A copy of documentation from the Ohio Bureau of Workers Compensation or private 3rd party issuer, showing the Experience Modification Rating. All documentation must contain business name and issuing agency. Data exported to an Excel Spreadsheet will not be accepted		*This section was intentionally left blank*

Business Name: EIN:

CATEGORY A

(329.211a)

Must meet all of the following mandatory criteria.

Criteria			TRUE	FALSE	Exceptions
1	**Workers' Compensation**	The applicant has a current and valid workers' compensation insurance policy or is legally self-insured.	☐	☐	
2	**Unemployment Compensation Policy***	The applicant has a current and valid unemployment compensation insurance policy.	☐	☐	Not Applicable ☐
3	**Bonding**** *(Modified)*	The applicant attached an affidavit indicating that, at the time of bid submission, it will provide a bid bond, certified check, cashier's check, or letter of credit pursuant to Chapter 1305 of the Ohio Revised Code for the amount specified in the bid; **and** The applicant provided a notarized letter from its surety company that does all of the following: • Dated within the last 30 days; • Signed by the surety company's Attorney in Fact; • Includes the Surety Power of Attorney; and • States that the surety is prepared to provide a performance and payment bond.	☐	☐	Subcontract work only ☐
4	**Financial Statements**	The applicant has signed an affidavit agreeing to make the business entity's financial statement for the most recently completed fiscal year available to the city for viewing upon request.	☐	☐	
5	**Debarment**	The applicant is not currently debarred or otherwise disqualified from bidding on or completing work on any government agency or public works project.	☐	☐	
6	**City Taxes**	The applicant is one of the following: current and compliant in the payment of any city of Columbus taxes on payroll and net profits; or, if the applicant is not current and compliant in the payment of any city of Columbus taxes on payroll and net profits, that the applicant has entered into an agreement to pay any delinquency and is abiding by the terms of the agreement at the time such proof is submitted.	☐	☐	

*Unemployment Compensation

- Provide an explanation and documentation from the Ohio Department of Jobs and Family Services if you have checked the "not applicable" box.
- **Out of State applicants**: provide letter or online documentation from your state agency and provide documentation from Ohio Department of Jobs and Family Services (see page 2). Documentation must note either no outstanding balance, no obligation, non-liable, or that the policy is current.

**Bonding is required for all bids. Those business entities prequalifying to perform only licensed construction trade subcontract work, should check the box for "subcontract work only." Should these business entities wish to later bid, they will need comply with the bonding criteria and submit the required supporting documentation to the Office of Construction Prequalification. Criteria #3 (Bonding) will be deemed met for those business entities who will only perform licensed construction trade subcontract work.

Business Name: EIN:

CATEGORY B

(329.211b)

Must meet at least three (3) of the following five (5) criteria.

Criteria 7
Local Workforce

329.01; 329.211(b)(1)
(10 points)

The purpose of this criterion is to determine what portion of the applicant's workforce is "local." Pursuant to *Section 329.01(v)*, a local workforce is whereby **at least 15%** of the business entity's full-time equivalent employees in Ohio reside in the City of Columbus.*

For persons directly performing construction service work in Ohio, full-time employees means the product of the total number of hours worked by all construction service work employees of the entity **in the previous fiscal year** divided by 1,280. For all other persons performing work in Ohio, full-time employees means the product of the total number of hours worked by all other employees of the entity **in the previous fiscal year** divided by 2,080. **Round answers to the nearest hundredths place (0.00)**

Check box and skip to Criteria 8, if business operates with no employees and had no employees in previous fiscal year.

(10 points automatically awarded) ☐

1. **Please identify applicant's total number of full-time equivalent employees that reside in Ohio.**

Column 1A	Column 1B	Column 1C	Column 1D	Column 1E
Construction Employees' Hours	Divide Column 1A by 1,280	Non-Construction Employees' Hours	Divide Column 1C by 2,080	Column 1B + Column 1D

2. **Please identify applicant's total number of full-time equivalent employees in Ohio that reside in the City of Columbus.**

Column 2A	Column 2B	Column 2C	Column 2D	Column 2E
Construction Employees' Hours	Divide Column 2A by 1,280	Non-Construction Employees' Hours	Divide Column 2C by 2,080	Column 2B + Column 2D

3. **Please identify applicant's total percent of full-time equivalent employees in Ohio that reside in the City of Columbus.**

Column 3A	Column 3B
Divided Column 2E by Column 1E	Multiply Column 3A by 100
	%

If Column 3B is at least 15.00% then answer True.*

The applicant has a local workforce.

TRUE ☐ FALSE ☐

If "True" the Local Workforce Worksheet for full-time equivalent employees that reside in the City of Columbus must be completed and submitted with the application **(See page 28).**

Business Name: EIN:

Criteria 8
Quality Training Contractor
329.01; 329.211(b)(2)
(10 points)

The purpose of this criterion is to assess the extent to which the applicant's employees participate in an approved apprenticeship program and extent of employee's experience in a specific trade.

With respect to persons performing licensed construction trade work in Ohio, the definition of a quality training contractor is one whose employees have done at least one of the following:

1. Graduated from or are participating in a bona fide apprenticeship program that is approved by the Ohio State Apprenticeship Council, as defined in the Ohio Administrative code Section 4101:9-4-02(C) or a successor to that section or the United States Department of Labor, as defined in 29 CFR 29 CFR 29.2(f) or a successor to that section, if such apprenticeship programs are available;

OR

2. Have at least five (5) years of experience in the specific trade.

Applicant's employees meet the quality training criteria as defined Section 329.01, provided that, for purposes of full inclusion and creation of entry-level opportunities in the construction trades, up to ten percent (10%) of a business entity's employees performing licensed construction trade work in Ohio may be participating in pre-apprenticeship programs, career technical programs, or otherwise have less training and experience.

Check only one (1) from the following three options

The applicant is a quality training contractor

TRUE ☐ FALSE ☐

Applicant has no licensed construction trade employees, as listed below (10 pts automatically awarded). ☐

If "TRUE" please identify licensed construction trade(s):

HEATING ☐ AIR CONDITIONING ☐ ELECTRICAL ☐ HYDRONICS ☐

VENTILATING ☐ REFRIGERATION ☐ PLUMBING ☐

FIRE PROTECTION or FIRE EQUIPMENT ☐

For criteria #9 and #10, unless applicant has a waiver for any requirement from the Department of Labor the plan must meet the requirements of a "bona fide" fringe benefit, as defined in 29 CFR 4.171 or a successor to that section. In general, a bona fide fringe benefit must do the following:

- Must be part of the employee's pay package, not an add-on for the job in question.
- Must be offered in writing to all employees.
- Must include an employer contribution, but only if the employee signs up for the benefit.
- All payments into the benefit must be irrevocable (i.e., once paid, the employer cannot re-coup the cost of the benefits)
- The plan must be administered by a third party (i.e., if employer is self-insured, employer would need a third party company to administer the benefits vs. having the employer's human resources department determine what gets paid)

Note: *See 29 CFR 4.171 regarding additional requirements.*

Business Name: EIN:

Criteria 9
Health Insurance
329.01; 329.211(b)(3)
(10 points)

The purpose of this criterion is to assess the extent to which the applicant is a responsible employer with respect to provision of a health care program.

For this purpose, the definition of health insurance shall be defined as an adequate and affordable health insurance benefit provided by an employer to an employee. The employer must provide the benefit as part of an overall compensation plan and the benefit cannot be limited to a specific project. A health insurance benefit is "adequate and affordable" if it meets both the minimum value and affordability requirements established in rules promulgated pursuant to Public Law 111-148, The Patient Protection and Affordable Care Act. The benefit must otherwise meet the requirements of a "bona fide" fringe benefit, as defined in 29 CFR 4.171 or a successor to that section. An employer may provide a health insurance benefit through the Small Business Health Options Program, pursuant to Public Law 111-148, The Patient Protection and Affordable Care Act, so long as it otherwise meets the criteria of this definition.

Check only one (1) of the following three options

Check box and skip to Criteria 10, if applicant is a Sole Proprietor, Sub Chapter S Corporation or Partnership that operates with no employees.

(10 points automatically awarded) ☐

The applicant provides health insurance to its **construction service employees**.

TRUE ☐ FALSE ☐

If "true" complete all policy information below.

Complete policy information below and submit supporting documentation even if there are no participants in plan.

Policy Holder:

Name of policy:

Policy start date: Policy end date:

Who pays the premium:

EMPLOYEE ONLY ☐ EMPLOYER – EMPLOYEE ☐
EMPLOYER ONLY ☐ UNION – EMPLOYEE ☐
UNION ONLY ☐ EMPLOYER - UNION ☐

Additional Comments:

Business Name: EIN:

Criteria 10
Retirement/Pension Program

329.01; 329.211(b)(4)
(10 points)

The purpose of this criterion is to assess the extent to which the applicant is a responsible employer with respect to provision of a pension/retirement program.

For this purpose, the definition of retirement or pension plan shall be defined as a retirement or pension benefit provided by an employer as part of an overall compensation plan and not as a benefit limited to a specific project. The plan must meet the requirements of a "bona fide" fringe benefit, as defined in 29 CFR 4.171 or a successor to that section.

Check only one (1) from the following three options

Check box and skip to Criteria 11, if applicant is a Sole Proprietor, Sub-Chapter S Corporation or Partnership that operates with no employees.

(10 points automatically awarded) ☐

The applicant provides a retirement or pension plan to its **construction service employees**.

TRUE ☐ FALSE ☐

If "true" complete all policy information below.

Complete policy information below and submit supporting documentation even if there are no participants in plan.

Plan Holder:

Name of plan:

Plan start date: Plan end date:

Who pays the contribution:

EMPLOYEE ONLY ☐ EMPLOYER – EMPLOYEE ☐
EMPLOYER ONLY ☐ UNION – EMPLOYEE ☐
UNION ONLY ☐ EMPLOYER - UNION ☐

Additional Comments:

Business Name: EIN:

Criteria 11
Local Business
329.01; 329.211(b)(5)
(10 points)

The purpose of this criterion is to determine whether the applicant is "local" as defined by the city code. For this purpose, the definition of a local business shall be a business entity that has current and fixed local occupancy **AND** is a taxpayer in good standing.

(1) Current and Fixed Local Occupancy. A business entity that submits proof to the city demonstrating that it owns or leases office space within the corporate limits of the City of Columbus and that such office space meets all of the following criteria:

(a) Is occupied and used by at least one executive officer of the business entity; and

(b) Has been owned or leased by the business entity for no less than 24 consecutive months immediately preceding the date such proof is submitted; or if a business entity has relocated within the City of Columbus during the preceding 24 months, it has owned or leased otherwise eligible office space for 24 consecutive months immediately preceding the date such proof is submitted; and

(c) Is none of the following: Post Office boxes or similar mailing addresses; movable work sites, such as construction trailers or offices at a construction job site, locations zoned for residential use, unless such location is the sole office space owned and/or leased by the business entity, or locations occasionally rented or used by the business entity for temporary business functions, such as office meetings or teleconferences.

AND

(2) Taxpayer in Good Standing. A business entity that submits proof to the city demonstrating that it has filed returns for both net earnings and payroll taxes with the City of Columbus for no less than two (2) consecutive fiscal years preceding the date such proof is submitted. The business entity must further submit proof to the city demonstrating one of following:

(a) That the business entity is current and compliant in the payment of any City of Columbus taxes on payroll and net profits at the time such proof is submitted; or

(b) If the business entity is not current and compliant in the payment of any City of Columbus taxes on payroll and net profits, that the business entity has entered into an agreement to pay any delinquency and is abiding by the terms of the agreement at the time such proof is submitted.

There is office space at the business location within the City of Columbus. (See #1 above) TRUE ☐ FALSE ☐

There is at least one executive officer at the business location within the City of Columbus. (See #1a above)

TRUE ☐ FALSE ☐

Business owner (applicant) and the property owner are same. TRUE ☐ FALSE ☐

The applicant is a local business.

TRUE ☐ FALSE ☐

If applicant and property owner are the same, **DO NOT** complete the Local Business Affidavit. **DO** provide proof of property ownership, proof of property transfer date and proof of relationship between business/business owner (applicant) and property owner (business that the property is in the name of).

Business Name: EIN:

CATEGORY C

(329.21c)

The following criteria shall be used to further determine responsibility prequalification.

Criteria 12
Debarment

329.211(c)(1)
(5 points)

The purpose of this criterion is to assess the applicant's history of debarment.

Within the past five (5) years the applicant has not been debarred or otherwise disqualified from bidding on or completing work on any government agency or public works project.

TRUE ☐ FALSE ☐

Criteria 13
Criminal Conviction

329.01; 329.211(c)(2)
(5 points)

The purpose of this criterion is to collect information on the applicant's record of unsatisfactory judgment as defined in 329.01, in which a conviction was imposed for any crime related to its business conduct.

For this purpose, the definition of unsatisfactory judgment shall be a final decision, order, or verdict in a judicial, quasi-judicial or administrative proceeding, after all available appeals have either been exhausted or waived, in which a determination of civil liability, criminal conviction, or administrative penalty was imposed upon the individual or entity for violating any applicable federal, state, or local laws, rules, or regulations.

Within the past ten (10) years, the applicant has not received an unsatisfactory judgment, as defined in 329.01, in which a conviction was imposed for any crime related to its business conduct.

TRUE ☐ FALSE ☐

Business Name: EIN:

Criteria 14
Civil Liability
329.01; 329.211(c)(3)
(5 points)

The purpose of this criterion is to collect information on the applicant's record of unsatisfactory judgment as defined in 329.01, in which a civil judgment was imposed concerning an applicant's bid for and/or work on any public or private construction project.

For this purpose, the definition of unsatisfactory judgment shall be a final decision, order, or verdict in a judicial, quasi-judicial or administrative proceeding, after all available appeals have either been exhausted or waived, in which a determination of civil liability, criminal conviction, or administrative penalty was imposed upon the individual or entity for violating any applicable federal, state, or local laws, rules, or regulations.

Within the past five (5) years, the applicant has not received an unsatisfactory judgment, as defined in 329.01, in which civil liability was imposed concerning the applicant's bid for and/or work on any public or private construction project.

TRUE ☐ FALSE ☐

Criteria 15
City Litigation
329.211(c)(4)
(5 points)

The purpose of this criterion is to examine the history of an applicant's history of breach of contract or inferior or substandard performance.

Within the past five (5) years, the applicant has not had a history of breach of contract, or inferior or substandard performance on projects that have resulted in litigation being brought forth by the city.

TRUE ☐ FALSE ☐

Criteria 16
Bond Claims
329.211(c)(5)
(5 points)

The purpose of this criterion is to assess whether an applicant has a history of claims against bonds.

Within the last five (5) years, the applicant has not had a record of claims against bonds secured on any public construction project.

TRUE ☐ FALSE ☐

Criteria 17
Liquidated Damages
329.211(c)(6)
(5 points)

The purpose of this criterion is to collect information on the applicant's record payments for liquidated damages on public improvement or private construction projects.

Within the last five (5) years, the applicant has not been assessed or paid liquidated damages for any construction project with either a public or private owner.

TRUE ☐ FALSE ☐

Criteria 18
Non-Discrimination
329.211(c)(8)
(5 points)

The purpose of this criterion is to determine the applicant's adherence with affirmative action programs and local, state or federal laws prohibiting discrimination.

For this purpose, the definition of unsatisfactory judgment shall be a final decision, order, or verdict in a judicial, quasi-judicial or administrative proceeding, after all available appeals have either been exhausted or waived, in which a determination of civil liability, criminal conviction, or administrative penalty was imposed upon the individual or entity for violating any applicable federal, state, or local laws, rules, or regulations.

Within the past five (5) years the applicant has not had a record of unsatisfactory judgments, as defined in Section 329.01, with any applicable affirmative action programs, or any local, state or federal laws prohibiting discrimination against job applicants or employees.

TRUE ☐ FALSE ☐

Criteria 19
Socially Responsible
329.211(c)(10)
(5 points)

The purpose of this criterion is to determine whether the applicant has a continuing relationship with at least one (1), organization or program providing employment services for displaced workers and/or employment services for formerly incarcerated persons reentering the community, including a certified apprentice program that is contracted with at least one (1) organization or program providing employment services for displaced workers and/or employment services for formerly incarcerated persons reentering the community.

For this purpose, the definition of displaced worker as defined by the United States Department of Labor is "someone who loses their job because their employer closed a plant or division; moved or abolished their position; or simply had insufficient work for them; as well as some service members who leave the military."

The applicant has had a continuing relationship with at least one (1) organization/program providing employment services for displaced workers and/or employment services for formerly incarcerated persons reentering the community.

TRUE ☐ FALSE ☐

Criteria 20
Federal, State, and Local Laws

Criteria 20a
Labor Standards

329.211(c)(7)
(0-1 incident or violation = 10pts; 2-4 incidents or violations = 5pts; 5 or more incidents = 0 pts)

The purpose of this criterion is to determine the applicant's adherence with the Fair Labor Standards Act.

For this purpose, the definition of unsatisfactory judgment shall be a final decision, order, or verdict in a judicial, quasi-judicial or administrative proceeding, after all available appeals have either been exhausted or waived, in which a determination of civil liability, criminal conviction, or administrative penalty was imposed upon the individual or entity for violating any applicable federal, state, or local laws, rules, or regulations.

Within the last five (5) years, the applicant has no record of unsatisfactory judgment, as defined in Section 329.01, with the Fair Labor Standards Act.

TRUE ☐ FALSE ☐

If false, please provide details in the space below.

Year	Incident or Violation

Criteria 20b
Prevailing Wage

329.211(c)(7)

(0-1 incident or violation = 10pts; 2-4 incidents or violations = 5pts; 5 or more incidents = 0 pts)

The purpose of this criterion is to determine the applicant's adherence with the Prevailing Wage Laws.

For this purpose, the definition of unsatisfactory judgment shall be a final decision, order, or verdict in a judicial, quasi-judicial or administrative proceeding, after all available appeals have either been exhausted or waived, in which a determination of civil liability, criminal conviction, or administrative penalty was imposed upon the individual or entity for violating any applicable federal, state, or local laws, rules, or regulations.

Within the last five (5) years, the applicant has no record of unsatisfactory judgment, as defined in Section 329.01, with Prevailing Wage Laws, including more than one occasion on which applicant was required to pay either back wages or penalties for its failure to comply with the prevailing wage laws.

TRUE ☐ FALSE ☐

If false, please provide details in the space below.

Year	Incident or Violation

Criteria 20c
Unemployment Compensation

329.211(c)(7)

(0-1 incident or violation = 10pts; 2-4 incidents or violations = 5pts; 5 or more incidents = 0 pts)

The purpose of this criterion is to determine the applicant's adherence with the unemployment compensation laws.

For this purpose, the definition of unsatisfactory judgment shall be a final decision, order, or verdict in a judicial, quasi-judicial or administrative proceeding, after all available appeals have either been exhausted or waived, in which a determination of civil liability, criminal conviction, or administrative penalty was imposed upon the individual or entity for violating any applicable federal, state, or local laws, rules, or regulations.

Within the last five (5) years, the applicant has no record of unsatisfactory judgment, as defined in Section 329.01, with unemployment compensation laws.

TRUE ☐ FALSE ☐

If false, please provide details in the space below.

Year	Incident or Violation

Business Name: EIN:

Criteria 20d
Workers' Compensation
329.211(c)(7)
(0-1 incident or violation = 10pts; 2-4 incidents or violations = 5pts; 5 or more incidents = 0 pts)

The purpose of this criterion is to determine the applicant's adherence with the workers' compensation laws.

For this purpose, the definition of unsatisfactory judgment shall be a final decision, order, or verdict in a judicial, quasi-judicial or administrative proceeding, after all available appeals have either been exhausted or waived, in which a determination of civil liability, criminal conviction, or administrative penalty was imposed upon the individual or entity for violating any applicable federal, state, or local laws, rules, or regulations.

Within the last five (5) years, the applicant has no record of unsatisfactory judgment, as defined in Section 329.01, with Workers' Compensation Laws or has not had a period when applicant had employees but didn't have workers' compensation insurance or state-approved self-insurance.

TRUE ☐ FALSE ☐

If false, please provide details in the space below.

Year	Incident or Violation

Per Ohio Bureau of Workers' Compensation (BWC): A lapse in coverage will occur when BWC does not receive an employers' premium payment timely. The Certificate of Premium Payment will not be renewed until BWC receives the payment. Lapse indicates the employer did not have active workers' compensation coverage for that lapse period. Although the employer may lapse and does not have coverage, BWC will still cover the claim and bill the employer for all costs associated with the claim on a monthly basis.

Business Name: EIN:

Criteria 20e
OSHA Unsatisfactory Judgment

329.211(c)(7)

(0-1 incident or violation = 10pts; 2-4 incidents or violations = 5pts; 5 or more incidents = 0 pts)

The purpose of this criterion is to determine the applicant's adherence with the Occupational Health and Safety Administration (OSHA) laws. Those not covered by the OSH Act include: self-employed workers, immediate family members of farm employers, and workers whose hazards are regulated by another federal agency (for example, the Mine Safety and Health Administration, the Department of Energy, Federal Aviation Administration, or Coast Guard).

For this purpose, the definition of unsatisfactory judgment shall be a final decision, order, or verdict in a judicial, quasi-judicial or administrative proceeding, after all available appeals have either been exhausted or waived, in which a determination of civil liability, criminal conviction, or administrative penalty was imposed upon the individual or entity for violating any applicable federal, state, or local laws, rules, or regulations.

Check only one (1) from the following three options:

Within the last five (5) years, the applicant has no record of "willful" or "serious" OSHA violations.

TRUE ☐ FALSE ☐

Check box and skip to Criteria 20f if applicant is not covered under the OSH Act.

(10 points automatically awarded) ☐

If false, please provide details in the space below.

Year	Incident or Violation or Inspection #

Please list all OSHA and OSHA-Approved State plan violations

Business Name: EIN:

Criteria 20f
OSHA Penalties

329.211(c)(7)

(0-1 incident or violation = 10pts; 2-4 incidents or violations = 5pts; 5 or more incidents = 0 pts)

The purpose of this criterion is to determine the applicant's history of citations or assessed penalties by the Occupational Health and Safety Administration (OSHA). Those not covered by the OSH Act include: self-employed workers, immediate family members of farm employers, and workers whose hazards are regulated by another federal agency (for example, the Mine Safety and Health Administration, the Department of Energy, Federal Aviation Administration, or Coast Guard).

For this purpose, the definition of unsatisfactory judgment shall be a final decision, order, or verdict in a judicial, quasi-judicial or administrative proceeding, after all available appeals have either been exhausted or waived, in which a determination of civil liability, criminal conviction, or administrative penalty was imposed upon the individual or entity for violating any applicable federal, state, or local laws, rules, or regulations.

Check only one (1) from the following three options

Within the last five (5) years, the applicant has no assessed penalties by OSHA.

TRUE ☐ FALSE ☐

Check box and skip to Criteria 20g if applicant is not covered under the OSH Act

(10 points automatically awarded) ☐

If false, please provide details in the space below.

Year	Incident or Violation or Inspection #

Please list all OSHA and OSHA-Approved State plan penalties

Criteria 20g
Licenses
329.211(c)(7)
(0-1 incident or violation = 10pts; 2-4 incidents or violations =5pts; 5 or more incidents = 0 pts)

The purpose of this criterion is to determine the applicant's adherence with applicable licensing board.

For this purpose, the definition of unsatisfactory judgment shall be a final decision, order, or verdict in a judicial, quasi-judicial or administrative proceeding, after all available appeals have either been exhausted or waived, in which a determination of civil liability, criminal conviction, or administrative penalty was imposed upon the individual or entity for violating any applicable federal, state, or local laws, rules, or regulations.

Within the last five (5) years, the applicant has no professional or trade license of any current employee revoked or had its contractor's license revoked in any jurisdiction.

TRUE ☐ FALSE ☐

If false, please provide details in the space below.

Year	Incident or Violation

Criteria 20h
Worker Classification

329.211(c)(7)

(0-1 incident or violation =10pts; 2-4 incidents or violations = 5pts; 5 or more incidents = 0 pts)

The purpose of this criterion is to determine the applicant's adherence with federal laws regarding worker classification.

For this purpose, the definition of unsatisfactory judgment shall be a final decision, order, or verdict in a judicial, quasi-judicial or administrative proceeding, after all available appeals have either been exhausted or waived, in which a determination of civil liability, criminal conviction, or administrative penalty was imposed upon the individual or entity for violating any applicable federal, state, or local laws, rules, or regulations.

Within the last five (5) years, the applicant has no record of unsatisfactory judgment, as defined in Section 329.01, with state or federal laws regarding the classification of employees and independent contractors.

TRUE ☐ FALSE ☐

If false, please provide details in the space below.

Year	Incident or Violation

Criteria 20i
Worker Identification

329.211(c)(7)

(0-1 incident or violation = 10pts; 2-4 incidents or violations = 5pts; 5 or more incidents = 0 pts)

The purpose of this criterion is to determine the applicant's history of unsatisfactory judgment related to immigration and naturalization laws.

For this purpose, the definition of unsatisfactory judgment shall be a final decision, order, or verdict in a judicial, quasi-judicial or administrative proceeding, after all available appeals have either been exhausted or waived, in which a determination of civil liability, criminal conviction, or administrative penalty was imposed upon the individual or entity for violating any applicable federal, state, or local laws, rules, or regulations.

Within the last five (5) years, the applicant has no record of unsatisfactory judgment, as defined in Section 329.01, with state or federal laws related to immigration and naturalization.

TRUE ☐ FALSE ☐

If false, please provide details in the space below.

Year	Incident or Violation

Criteria 20j
EPA
329.211(c)(7)
(0-1 incident or violation = 10pts; 2-4 incidents or violations = 5pts; 5 or more incidents = 0 pts)

The purpose of this criterion is to determine the applicant's history of unsatisfactory judgment related to environmental laws.

For this purpose, the definition of unsatisfactory judgment shall be a final decision, order, or verdict in a judicial, quasi-judicial or administrative proceeding, after all available appeals have either been exhausted or waived, in which a determination of civil liability, criminal conviction, or administrative penalty was imposed upon the individual or entity for violating any applicable federal, state, or local laws, rules, or regulations.

Within the last five (5) years, the applicant has no record of unsatisfactory judgment, as defined in Section 329.01, with Ohio Environmental Protection Agency (OEPA) or United States Environmental Protection Agency (USEPA), including citations and assessed penalties.

TRUE ☐ FALSE ☐

If false, please provide details in the space below.

Year	Incident or Violation

Criteria 20k
OSHA Plan
329.211(c)(7)
(3 points)

The purpose of this criterion is to determine the applicant's adherence with OSHA standards. Those not covered by the OSH Act include: self-employed workers, immediate family members of farm employers, and workers whose hazards are regulated by another federal agency (for example, the Mine Safety and Health Administration, the Department of Energy, Federal Aviation Administration, or Coast Guard).

Check only one (1) from the following three options

The applicant has a health and safety plan as required by OSHA standards.

TRUE ☐ FALSE ☐

Check box and skip to Criteria 20l if business is not covered under the OSH Act. (3 points automatically awarded) ☐

Criteria 20l
OSHA Log
329.211(c)(7)
(3 points)

The purpose of this criterion is to determine the applicant's adherence with OSHA standards. Those not covered by the OSH Act include: self-employed workers, immediate family members of farm employers, and workers whose hazards are regulated by another federal agency (for example, the Mine Safety and Health Administration, the Department of Energy, Federal Aviation Administration, or Coast Guard). Employers with more than ten employees and whose establishments are not classified as a partially exempt industry must record work-related injuries and illnesses (OSHA Recordkeeping regulation (29 CFR 1904)).

Check only one (1) from the following three options

The applicant has an OSHA 300 log under OSHA-29 CFR 1904.

TRUE ☐ FALSE ☐

Check box and skip to Criteria 20m if business is not covered under the OSH Act or if business has less than 10 employees and is classified as a partially exempt industry.
(3 points automatically awarded.) ☐

Criteria 20m
Experience Modification Rating (EMR)
329.211(c)(7)
(2 points)

The purpose of this criterion is to determine an applicant's loss risk and safety performance.

The applicant has an average Bureau of Workers' Compensation (BWC) Experience Modification Rating (EMR) of 1.5 or less.

TRUE ☐ FALSE ☐

Business Name: EIN:

Criteria 20n
Compliance with Ohio's Drug Free Workplace Requirements
329.211(c)(7)
(2 points)

The purpose of this criterion is to determine the applicant's adherence with the Drug Free Workplace Act of 1988 pursuant to Ohio Revised Code Section 153.03 or a successor to that section.

For this purpose, the definition of unsatisfactory judgment shall be a final decision, order, or verdict in a judicial, quasi-judicial or administrative proceeding, after all available appeals have either been exhausted or waived, in which a determination of civil liability, criminal conviction, or administrative penalty was imposed upon the individual or entity for violating any applicable federal, state, or local laws, rules, or regulations.

Within the last five (5) years, the applicant has not had a record of unsatisfactory judgment, as defined in Section 329.01, with Ohio's Drug-Free Workplace requirements.

TRUE ☐ FALSE ☐

Business Name: EIN:

BONDING AFFIDAVIT

This form must be signed by an authorized executive officer and notarized.

STATE OF: _____ **CITY/COUNTY OF**: _____

I, _____
(Full ***legal*** name of authorized person printed),

swear or affirm under penalty of law that I am _____
(title)

of applicant company _____
(company's full legal name)

I further swear and affirm that I am a company official authorized to execute this application, any supporting documentation included with this application, and the instant affidavit.

I agree to provide, at the time of bid submission, a bid bond, certified check, cashier's check, or letter of credit pursuant to Chapter 1305 of the Ohio Revised Code for the amount specified in the bid.

_____ _____
Printed **Full Legal Name** of Authorized Company Officer Signature

Sworn to before me this _____ day of _____ 20 _____
(day) (month) (year)

_____
(Seal) Notary Public

My Commission expires _____ **Notary Registration Number** _____

Business Name: EIN:

APPLICATION AFFIDAVIT

This form must be signed by an authorized executive officer and notarized.

A MATERIAL OR FALSE STATEMENT OR OMISSION MADE IN CONNECTION WITH THIS APPLICATION IS SUFFICIENT CAUSE FOR DENIAL OF PREQUALIFICATION AND REVOCATION OF A PRIOR APPROVAL, AND MAY SUBJECT THE PERSON AND/OR ENTITY MAKING THE FALSE STATEMENT TO ANY AND ALL CIVIL AND CRIMINAL PENALTIES AVAILABLE PURSUANT TO APPLICABLE FEDERAL AND STATE LAW.

STATE OF: _____ **CITY/COUNTY OF**: _____

I, _____
(Full ***legal*** name of authorized person printed),

swear or affirm under penalty of law that I am _____
(title)

of applicant company _____
(company's full legal name)

I further swear and affirm that I am a company official authorized to execute this application, any supporting documentation included with this application, and the instant affidavit. I have read and understand all of the questions in this application and that all of the foregoing information and statements submitted in this application and its attachments and supporting documents are true and correct to the best of my knowledge, and that all responses to the questions are full and complete, omitting no material information.

I recognize that the information submitted in this application is for the purpose of inducing prequalification approval by the City of Columbus. I understand that the City of Columbus, may by means it deems appropriate, determine the accuracy and truth of the statements in the application, and I authorize such agency to contact any entity named in the application, and the named company's bonding companies, banking institutions, credit agencies, contractors, clients, and other certifying agencies for the purpose of verifying the information supplied and determining the named company's eligibility.

I agree to submit to government audit, examination and review of books, records, documents and files, in whatever form they exist, of the named company and its affiliates, inspection of its place(s) of business and equipment, and to permit interviews of its principals, agents, and employees. I understand that refusal to permit such inquiries shall be grounds for denial or the loss of our company's prequalification privileges.

I agree to provide written notice to the City of Columbus any material change in the information contained in the original prequalification application within 7 business days of such change.

I acknowledge and agree that any misrepresentations in this application or in records pertaining to a contract or subcontract will be grounds for terminating any contract or subcontract which may be awarded; denial or revocation of prequalification; suspension and debarment; and for initiating action under federal and/or state law concerning false statement, fraud or other applicable offenses.

I declare under penalty of perjury that the information provided in this application and supporting documents is true and correct.

_____ _____
Printed **Full Legal Name** of Authorized Company Officer Signature

Sworn to before me this _____ day of _____ 20 _____
(day) (month) (year)

_____
(Seal) Notary Public

My Commission expires _____ **Notary Registration Number** _____

Business Name: EIN:

LOCAL WORKFORCE WORKSHEET –City of Columbus Only

Address	City	Zip	Total Hours Worked (in previous fiscal year)	Construction Employee Hours? Y/N

Business Name: EIN:

LOCAL BUSINESS AFFIDAVIT

This form must be signed by an authorized individual from the leasing company and notarized.

By signing this affdavit I swear and affirm that I am authorized to execute this instant affidavit on behalf of my company. I am also confirming that the information listed below is factual.

I, _____
(Full legal name of authorized individual printed)

swear or affirm under penalty of law that I am _____
(title)

of property company _____.
(property owner company's full legal name)

A lease agreement has existed between _____ and _____
(property owner company's full legal name) (full legal company name of leasee)

for _____
(full property address including city, state and zip code)

since _____ through _____.
(date - month/day/year) (date - month/day/year)

Identify any gaps in the lease dates listed above in the box below:

I can be reached at the following: _____
(contatct phone number with area code)

_____
(contatct full business address including city, state and zip code)

_____ _____
Printed **Full Legal Name** of Authorized Individual Signature

Sworn to before me this _____ day of _____ 20_____
(day) (month) (year)

_____
(Seal) Notary Public

My Commission expires: _____ **Notary Registration Number** _____

THANK YOU FOR YOUR SUBMITTAL

Be sure to save a copy of your application for your own records.
Then email or fax this application to:

Office of Construction Prequalification
Attn: Prequalification Application
Phone: (614)645-0359
FAX: (614)645-5818
EMAIL: prequalification@columbus.gov

Application Online at: http://finance.columbus.gov/prequalification.aspx

An application and related documents will only be accepted via email or fax.

A prequalification status determination will be made within thirty (30) calendar days of receipt of a prequalification application. Any omitted information may result in an unfavorable status determination.