



RESPONSIBLE BIDDER PRE-QUALIFICATION PACKAGE DEPARTMENT OF ENGINEERING AND PUBLIC SERVICES

Revised: May 9, 2022

BACKGROUND

On December 6, 2021, the City Council approved amendments to Section 114-13 of the Code of the City of Monroe, known commonly as the "Responsible Bidders Ordinance". The full text of this ordinance is available on the City of Monroe website at monroemi.gov, and applicable sections are included in Division D of the City's contract documents. These provisions require a two-part process for review of bids in excess of \$175,000, and for any subcontractors whose contract value exceeds \$50,000.

PART ONE

The first of these is a required pre-qualification scoring process, and a contractor deemed to be prequalified will remain so for a period of one (1) year from approval. To fulfill these requirements, each prospective bidder is required to submit documentation of each of the following items to the Engineering Department no later than ten (10) days prior to bid opening, and submitted information will be retained on file and may be amended by the bidder at any time. **Please note that bidders are either deemed "responsible bidders" or "not responsible bidders" strictly based on reaching the 80-point threshold in this PART ONE. Bidders deemed not responsible will be ineligible for contract awards until such time as they are able to receive the qualifying score. If bidder has already been deemed "responsible" within the last twelve (12) months, Part One does not need to be resubmitted.**

PART TWO

The second of these is completion of a Bidder Information Questionnaire, which must be submitted with each bid and is intended to describe, in more detail, the bidder's characteristics at the actual time of bidding. To fulfill these requirements, each prospective bidder is required to submit this form, along with any additional supporting documentation they wish. Additional pages may be submitted where space does not allow for complete answers to any question. **Part Two will not be scored, however, any documentation will be reviewed and relevant information taken into consideration by the Engineering Department and / or City Council if needed to determine award of a contract in the City's sole best interest. Part Two must be submitted with each project as a part of the bid submission.**

SCORING OF PRE-QUALIFICATION PACKAGE – PART ONE

Pre-qualification of each prospective bidder shall be in accordance with the requirements contained in the tables below. Points shall be awarded in discrete increments of five (5), ten (10), or fifteen (15) as shown below, with no intermediate increments awarded. Contractor shall sign and date this form, which will be provided as a cover to the required documentation. The Engineering Department will circle the applicable point value for each category on its own scoring form, provide point total at the bottom, and certify pre-qualification status.

Documentation can be submitted on any form of the bidder's choosing, but it must be dated and clearly identified by the bidder as pre-qualification information, by means of a cover letter or equivalent. This information will remain on file in the Engineering Department for a period of not less than two (2) years.

Corporate Accountability		
Provided	Not Provided	
5	0	References from individuals or entities the bidder has worked for within the last five (5) years including information regarding records of performance and job site cooperation.
5	0	Evidence of any quality assurance program used by the bidder and the results of any such program on the bidder's previous projects.

Workplace Safety		
Provided	Not Provided	
5	0	Documentation of an on-going Michigan OSHA-approved, safety-training program for employees to be used on the proposed job site.
EMR 1.0 or Less	EMR greater than 1.0	
10	5	Evidence of the bidder's worker's compensation Experience Modification Rating ("EMR"). Preference will be given to contractors and subcontractors who exhibit an EMR of 1.0 or less based on a three-year average.

Completed	Not Completed	
10	5	All craft labor that will be employed by the firm for the project has completed at least the OSHA 30-hour training course for safety established by the U.S. Department of Labor, Occupational Safety & Health Administration.
1:3 or Less	More than 1:3	
10	5	Number of apprentices under the supervision of a journeyperson.

Workforce Development		
Yes	No	
15	0	Will bidder pay prevailing wages or greater together with benefits (i.e. healthcare, pension and/or retirement program) on all City Construction Project work.
10	0	Documentation that the bidder has participated in a U.S. Department of Labor approved Industry-Registered Apprenticeship Program (IRAP) for the past three years, at a minimum, for each separate trade or classification in which it employs craft employees and shall continue to participate in such programs for the duration of the project.
Provided	Not Provided	
10	0	Documentation of how the bidder assesses the skills and qualifications of any employees who do not have master or journeyman certification or status, or are not participants in a Industry-Registered Apprenticeship Program (IRAP).

Social Equity		
Provided	Not Provided	
5	0	A statement from the bidder as to what percentage of its workforce can be drawn significantly from Monroe County residents because a goal of the City is to utilize, in its construction activities, local residents as much as is economically feasible while retaining the high quality of construction required for its construction activities, consistent with applicable law.
5	0	Evidence of Equal Employment Opportunity Programs for minorities, women, veterans, returning citizens, and small businesses.
10	0	Assurance that the bidder is an equal opportunity employer and does not discriminate on the basis of race, sex, pregnancy, age, religion, national origin, marital status, sexual orientation, gender identity or expression, height, weight, or disability.

Total Column A	Total Column B	Total Points A+B	Maximum Points 100 (Percentage)	
				Pre-Qualification is 80% or better.

SUBMISSION INSTRUCTIONS FOR PART ONE

For ease in submitting documentation, the following are examples of acceptable documentation that will be used by the Engineering Department to determine the score of each bidder. This is NOT an exhaustive list, and other equivalent documentation may be accepted. Instructions to the bidders are listed in *bold italics* following each section. Documentation should be provided in whatever form the bidder desires to the City Engineering Department at least ten (10) days prior to bid opening.

1. Corporate Accountability

- a. Performance references – bidder shall provide references from individuals or entities the bidder has worked for within the last five (5) years including information regarding records of performance and job site cooperation. *Submittal requirement: This documentation may take any form desired, but should include a listing of projects with project / contract names, locations, work types, overall cost, time of project, and contact individuals.*
- b. Quality assurance program – *Submittal requirement: provide a statement in letter form describing the processes in place to ensure quality control of typical construction projects. If the firm has adopted a formal quality assurance program, it can be attached as well.*

2. Workplace Safety

- a. Evidence of OSHA-approved safety training program – *Submittal requirement: As OSHA does not formally approve safety programs, bidders should submit their company's safety program, which will be evaluated by the Engineering Department to ensure that it meets relevant OSHA standards for the expected work activities found in most common construction projects.*
- b. Worker's Compensation EMR rating – *Submittal requirement: attach a statement from bidder's Worker's Compensation carrier as to the present rating.*
- c. OSHA 30-hour training program – *Submittal requirement: provide a list of all employees and any OSHA training completed (30-hour course preferred, also list any that have completed 10-hour course).*
- d. Journeyman / apprentice ratio – *Submittal requirement: attach a statement / breakdown of which trades are present within the company, number of master / journeyman / apprentice, and a statement of the ratio to be used on contracts (particularly maximum number of apprentices supervised by a journeyman at any one time).*

3. Workforce Development

- a. Prevailing wage conformance – *Submittal requirement: Signed statement from contractor as to compliance / non-compliance.*
- b. Department of Labor Apprenticeship Program – *Submittal requirement: Bidder shall provide a description as to their current apprenticeship program used for each trade. If the bidder has participated in a U.S. Department of Labor approved Industry-Registered Apprenticeship Program (IRAP), documentation to this effect should be submitted. If an*

alternative program is used, or if the bidder works directly through one or more trade unions for employees of that trade to utilize the program under that trade, a statement to this effect and description of the program and affected employees should be provided.

- c. Skills assessment for other employees - *Submittal requirement: Provide listing of employees (or general classification of employees) that do not fall under item b above, and describe the skills assessment / interview / evaluation process used to determine fitness for duty and qualifications for their position.*

4. Social Equity

- a. Local Labor declaration - Submittal requirement: *Statement of approximate percentage, if known, of employees that reside in Monroe County. As it is understood that employees may change throughout a 12-month period and may not be known, estimates and ranges are acceptable.*
- b. Evidence of Equal Opportunity Program - *Submittal requirement: Any documentation of an Equal Employment Opportunity Program for minorities, women, veterans, returning citizens, and small businesses. If the company ownership structure includes any of the above categories or similar, this should be stated as well, as it may be considered to satisfy this requirement.*
- c. Equal Opportunity Employment Assurance - *Submittal requirement: Provide written assurance that bidder is an equal opportunity employer and does not discriminate on the basis of race, sex, pregnancy, age, religion, national origin, marital status, sexual orientation, gender identity or expression, height, weight, or disability.*

CONTRACTOR SUBMISSION

Contractor shall certify that the information contained within this pre-qualification submission and its attachments (if any) thereto is truthful and accurate to the best of their knowledge by signing below and completing the Affidavit of Responsible Bidder found on Page B-9 of the contract documents. Any information submitted may be provided to the City Council by the Engineering Department for informational purposes prior to awarding of a contract.

Agent / Officer Name / Signature

Date

Contractor Name

END OF PART ONE REQUIREMENTS

(Submit Part One to Engineering minimum 10 days prior to bid opening unless bidder has qualified as Responsible Bidder in past 12 months)

SUBMISSION INSTRUCTIONS FOR PART TWO - BIDDER INFORMATION

Provide answers to each of the following items, in as complete detail as possible:

(i) General information about the bidder’s company, its principals, and its history, including all former business names, and an explanation of any business name changes.

(ii) If the submitting bidder has ever operated under another name or is controlled by another company or business entity or in the past five years controlled or was controlled by another company or business entity, whether as a parent company, subsidiary or in any other business relation, it must attach a separate statement to its bid packet that explains in detail the nature of any such relationship. Additional information may be required from such an entity if the relationship in question could potentially impact contract performance.

(List if applicable - yes / no)_____

(iii) Information regarding the state and local licenses and license numbers held by the bidder.

(iv) A confirmation that all subcontractors, employees and other individuals working on the construction project will maintain current applicable licenses required by law for all licensed occupations and professions. *(Please list applicable licenses if known.)*

(v) Documentation of master or journeyperson certification or status for masters and journeypersons to be used on the project, and the source of such certification or status.

(vi) Verification that the bidder is in compliance with all applicable state and federal laws and visa requirements regarding the hiring of non-US citizens, and disclosure of any work visas sought or obtained by the bidder, any of the bidder's subcontractors, or any of the bidder's employees or independent contractors, in order to perform any portion of the project.

(Verify compliance - yes / no)_____

(vii) A list of projects completed within the past five (5) years of comparable size/complexity, including dates, clients, approximate dollar value, and size. Documentation from these previous projects including but not limited to all extra costs relating to the bidder's timeliness, performance, quality of work, extension requests, contractual fines and penalties imposed, liens filed, history of claims for extra work and any contract defaults with an explanation of the reason for the default and how the default was resolved. *(This information is designed to supplement Statement of Experience on Page B-6 of the contract documents.)*

(viii) Evidence of experience with construction techniques, trade standards, quality workmanship, project scheduling, cost control, management of projects of comparable size/complexity, and building codes by documenting the bidder's ability and capacity to perform the project. The bidder must identify those portions of the project it reasonably believes will be subcontracted and the names of the subcontractors, if known at the time of submission. *(Subcontractor listing should also be provided on Page B-10 of the contract documents).*

(ix) written verification of bonding capacity equal to or exceeding the amount of the bidder's scope of work on the project. The written verification must be submitted by a licensed surety company rated "B+" (or better) in the current A.M. Best Guide and qualified to do business within the State of Michigan.

(x) A list of all litigation and arbitrations currently pending and concluded whether by settlement or decision within the past five (5) years, including an explanation of each (parties, court/forum, legal claims, damages sought, and resolution). A list of all claims made against the bidder that were resolved through the payment of \$25,000.00 or more by the bidder or the bidder's insurance and/or bonding/surety companies.

(xi) Disclosure of any violations of state, federal or local laws or regulations, including OSHA or MIOSHA violations, state or federal prevailing wage laws, wage and hour laws, worker's compensation or unemployment compensation laws, rules or regulations, issued to or against the bidder within the past five years.

(xii) Disclosure of any debarment by any federal, state or local governmental unit and/or findings of non-responsibility or non-compliance with respect to any public or private construction project performed by the bidder.

(xiii) Proof of insurance, including certificates of insurance, confirming existence and amount of coverage for liability, property damage, workers compensation, and any other insurances required by the proposed contract documents. *(Attach sample certificate, does not need to insure City until contract is executed.)*

(xiv) A statement regarding the bidder's staffing capabilities and labor sources including subcontractors and a verification from the bidder that construction workers will not be misclassified as independent contractors in violation of state or federal law.

(xv) Verification of an existing drug and alcohol testing and/or screening program for bidder, including, but not limited to a Fitness for Duty Program, or a comparable recognized program or provider.

(xvi) A statement affirming that the City will require and the bidder will provide a one-year maintenance bond valued at 5% of the total contract amount at the time of contract close-out with such bond effective at the time of final payment by the City.

(xvii) A statement affirming that the bidder will pay all craft employees that it employs on the project the current wage rates and fringe benefits as required under applicable federal, state, or local wage laws.

(xviii) A statement identifying what possible change orders could be necessary and what their approximate subsequent total costs would be.

(xix) A statement from the contractor or subcontractor acknowledging their obligation to comply with this Ordinance in each contract and subcontract.

(xx) Assurances that the project timeline the contractor submits will be followed and that the project will finish in a timely fashion.

(xxi) Any change in the Experience Modification Rating (EMR) since the submittal and scoring of the Responsible Contractor Pre-Qualification.

(xxii) The anticipated percentage of Monroe County residents that comprise the bidder's labor pool that will be used on the Construction Project. *(Approximate percentage estimated at time of bidding is sufficient.)*

CONTRACTOR SUBMISSION

Contractor shall certify that the information contained within this questionnaire and its attachments (if any) thereto is truthful and accurate to the best of their knowledge by signing below and completing the Affidavit of Responsible Bidder found on Page B-9 of the contract documents. This questionnaire may be provided to the City Council by the Engineering Department for informational purposes prior to awarding of a contract.

Agent / Officer Name / Signature

Date

Contractor Name

END OF PART TWO REQUIREMENTS
(Submit Part Two with Bid Submission on EACH project)



RESPONSIBLE CONTRACTOR PRE-QUALIFICATION SCORING SHEET

Revised: February 1, 2022

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OVERALL SCORING CATEGORIES

The following is a breakdown of the scoring matrix, and prospective bidders must receive a minimum score of 80 points out of 100 possible in order to be determined to be a responsible bidder.

1. Corporate Accountability (10 points total possible)
 - a. Performance references (5 points)
 - b. Quality assurance program (5 points)
2. Workplace Safety (35 points total possible)
 - a. Evidence of OSHA-approved safety training program (10 points)
 - b. Worker's Compensation EMR rating (10 points)
 - c. OSHA 30-hour training program (10 points)
 - d. Journeyman / apprentice ratio (5 points)
3. Workforce Development (35 points total possible)
 - a. Prevailing wage conformance (15 points)
 - b. Department of Labor Apprenticeship Program (10 points)
 - c. Skills assessment for other employees (10 points)
4. Social Equity (20 points total possible)
 - a. Local Labor declaration (5 points)
 - b. Evidence of Equal Opportunity Program (5 points)
 - c. Equal Opportunity Employment Assurance (10 points)

SCORING OF PRE-QUALIFICATION PACKAGE

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Total Column A	Total Column B	Total Points A+B	Maximum Points 100 (Percentage)	
				Pre-Qualification is 80% or better.

Scoring Reviewed by:

Prequalification Approved:

 Patrick M. Lewis, P.E.
 Director of Engineering and Public Services
 Or Designee

 Date

 Yes

 No