

CONTRACTOR'S PREQUALIFICATION COMMITTEE

2007 MEETING SCHEDULE

City Hall, Room 1006-B

3:00 P.M

MEETING DATE	DEADLINE FOR RECEIPT OF NEW APPLICATIONS	AGENDA DISTRIBUTION
January 3, 2007	December 22, 2006	December 27 2006
February 7, 2007	January 29, 2007	January 31, 2007
March 7, 2007	February 23, 2007	February 28, 2007
April 4, 2007	March 23, 2007	March 28, 2007
May 2, 2007	April 20, 2007	April 25, 2007
June 6, 2007	May 25, 2007	May 30, 2007
July 11, 2007	June 29, 2007	July 3, 2007
August 1 2007	July 23, 2007	July 25, 2007
September 5, 2007	August 24, 2007	August 29, 2007
October 3, 2007	September 21, 2007	September 26, 2007
November 7, 2007	October 26, 2007	October 31, 2007
December 5 2007	November 21, 2007	November 28, 2007

CONTRACTOR PREQUALIFICATION APPLICATION CHECKLIST

Date: _____

Name of Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Contact Person: _____

Phone Number: _____

Certificate Requested:

A

B

C

D

S

E

(If you check the "A" box, it will automatically include the classifications B, C, D, E, and S).

- Application verified before a Notary Public.
- Audited** financial statement attached for A, B, C, D, S. **Reviewed** financial statement attached for E.
- Statement from a surety that you are qualified and surety will furnish bonds as required.
- Authorization to City for your bank to release credit history; address letter to City of Tulsa on your company letterhead; send copy to your bank. (See attached example)
- Check made payable to "The City of Tulsa" for \$225.00.
- Appointment of agent (an individual living in Tulsa County) by nonresident contractor.
- Signatures of applicant and agent (on Page 6 of form.)
- List of current jobs.
- Equipment list included.

Please mail a copy of this form with your application to:

City Clerk's Office
The City of Tulsa
200 Civic Center, Room 109
Tulsa, Oklahoma 74103

Questions? Call (918) 596-7607.

Example: (Use company letterhead)

January 1, 2006

**The City of Tulsa
200 Civic Center, Room 109
Tulsa, OK 74103**

To Whom It May Concern:

RE: AUTHORIZATION TO RELEASE INFORMATION

I authorize (Name of Bank) to release to the City of Tulsa credit information for my company.

I can be reached at (Telephone Number) if further information is needed.

Sincerely,

**(Name)
(Title)**

**CC: (Name of Bank)
(Address of Bank)
(City, State, Zip)
(Telephone Number)**

APPLICATION FOR CONTRACTORS PREQUALIFICATION CERTIFICATE

CITY OF TULSA, OKLAHOMA

NOTE: YOU DO NOT HAVE TO BE PREQUALIFIED TO DO WORK FOR THE CITY OF TULSA FOR CONTRACTS THAT ARE LESS THAN \$250,000.00

BIDDERS STATEMENT OF EXPERIENCE AND EQUIPMENT

1. Applicant (Show Complete Legal Name)	Telephone No. ()	Fax No. ()	<input type="checkbox"/> An Individual <input type="checkbox"/> A Partnership <input type="checkbox"/> A Corporation <input type="checkbox"/> Limited Liability Company
Address		Contractor's Fiscal Year	
Form Filled Out By		Title	
Contact Person	Title	Phone Number (If Different): ()	

How many years has your organization been in business under your present business name?

2. PLEASE CHECK THE APPROPRIATE CLASSIFICATION BOX(ES)	CLASS OR CLASSES OF WORK FOR WHICH YOU ARE APPLYING <small>(if applying for more than one class only \$225.00 due)</small>	AMT OF FILING FEES	YEARS OF EXPERIENCE YOUR ORGANIZATION HAS HAD AS A GENERAL CONTRACTOR
	<input type="checkbox"/> A Any and all contracts (Must show experience in all categories to qualify) (Contracts exceeding \$250,000.00)	\$225.00	
	<input type="checkbox"/> B Building Construction (Contracts exceeding \$250,000.00)	\$225.00	
	<input type="checkbox"/> C Paving and Bridge Construction (Contracts exceeding \$250,000.00)	\$225.00	
	<input type="checkbox"/> D Utility Construction (Contracts exceeding \$250,000.00)	\$225.00	
	<input type="checkbox"/> S General/Specialty Construction (Contracts exceeding \$600,000.00)	\$225.00	
	<input type="checkbox"/> E Prime Contractor Construction (Contracts exceeding \$250,000.00 or \$600,000.00 in the case of type "S" Construction) <small>City of Tulsa MUST be using a Construction Manager for Class E to apply.</small>	\$225.00	YEARS OF EXPERIENCE YOUR ORGANIZATION HAS HAD AS A CONTRACTOR OR SUB CONTRACTOR Contractor: _____ Subcontractor: _____
<input type="checkbox"/> E - 1 (Contracts NOT exceeding \$1,000,000.00) <input type="checkbox"/> E - 2 (Contracts NOT exceeding \$5,000,000.00) <input type="checkbox"/> E - 3 (Contracts NOT exceeding \$10,000,000.00) <input type="checkbox"/> E - 4 (Contracts in any amount)			

NOTE: AUDITED FINANCIAL STATEMENTS ARE REQUIRED FOR ALL NEW APPLICANTS APPLYING FOR A, B, C, D, OR S. REVIEWED FINANCIAL STATEMENTS ARE REQUIRED FOR ALL NEW APPLICANTS APPLYING FOR E.

3. DESCRIBE TYPE OF WORK THAT YOU ARE EQUIPPED TO PERFORM AS A CONTRACTOR.

4. DESCRIBE TYPE OF WORK YOU USUALLY SUBLET, IF ANY

5. Have you ever failed to complete or refused to enter into a contract awarded to you?	<input type="checkbox"/> YES <input type="checkbox"/> NO	IF SO WHERE AND WHY
--	--	---------------------

6. Has any officer or partner of your organization ever been an officer or partner of some other organization that failed to complete a construction contract?	<input type="checkbox"/> YES <input type="checkbox"/> NO
If so, state name of individual, other organization and reason therefor:	

7. Has any officer or partner of your organization ever failed to complete a construction contract handled under his name?	<input type="checkbox"/> YES <input type="checkbox"/> NO
If so, state name of individual, name of Owner and reason therefor:	

8. Have you ever failed to qualify as a bidder?	<input type="checkbox"/> YES <input type="checkbox"/> NO	If so, when, where, & why?
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9. CONSTRUCTION EXPERIENCE OF THE PRINCIPAL INDIVIDUALS OF YOUR ORGANIZATION

INDIVIDUAL'S NAME	PRESENT POSITION	YEARS IN POSITION	PAST POSITION	YEARS IN POSITION

NOTE: Prepare *Statement of Experience* for **EACH** principal individual and attach to this application.

10. PRINCIPAL CONSTRUCTION CONTRACTS PERFORMED DURING THE PAST 5 YEARS

DESCRIPTION OF CONTRACT	LOCATION	DATE OF CONTRACT	DATE COMPLETE	CONTRACT AMOUNT

NOTE: Attach separate sheets if necessary.

11. If you are not a resident of Tulsa County or your organization's principal place of business is NOT in Tulsa County, Oklahoma, complete the attached form entitled "Appointment of Agent by Non-Resident Contractor".

Name of Agent:	Agent Phone Number:
Address of Agent:	Agent Fax Number:

12. In what manner do you inspect work?

20. In what other lines of business does your firm have financial interest or ownership?

21. FINANCIAL STATEMENT

ASSETS

CASH

In Bank	\$
On Hand	\$
Certified Checks Deposited with Bids	\$

STOCKS, BONDS, ETC.

\$

ACCOUNTS RECEIVABLE

Completed Contracts	\$
Earned Estimates (Uncompleted Contracts)	\$
Retained Percentages	\$
Labor & Materials (Not Yet Billed)	\$
Other	\$

NOTES RECEIVABLE

\$

MATERIALS: In Stock – Not Included In Above Items

\$

EQUIPMENT (Book Value)

\$

REAL ESTATE

\$

OTHER ASSETS (Please List)

TOTAL ASSETS

\$

LIABILITIES

NOTES PAYABLE

To Banks Regular	\$
To Banks for Certified Checks	\$
To Material Furnishers	\$
To Others (Exclusive of Equipment)	\$

DUE SUB-CONTRACTORS (Account of retained percentages and current estimates)

\$

ACCOUNTS PAYABLE (Include cost of labor and materials not yet billed)

\$

TAXES

Federal And State Income	\$
Reserve For Income On Current Year's Earnings	\$
Other (Describe)	\$
	\$
	\$

DUE ON EQUIPMENT

Within 12 Months	\$
Not Due Within 12 Months	\$

DUE ON REAL ESTATE

\$

OTHER LONG TERM LIABILITIES (EXPLAIN)

\$

\$

\$

\$

\$

\$

TOTAL LIABILITIES AND EQUITY

\$

Statement from Contractor

Any other information you feel is pertinent to the City of Tulsa for granting your company the requested certification(s).

The foregoing Bidder's Statement of Experience & Equipment and Financial Statement is TRUE and ACCURATE as of the date hereof.

Dated at _____, this _____ day of _____, 20_____.

SIGNATURE _____

TITLE _____

Subscribed & Sworn before me this _____ day of _____, 20_____

NOTARY PUBLIC _____

My Commission Expires _____

Stamp or Seal:

**NOTE: AUDITED FINANCIAL STATEMENTS ARE REQUIRED FOR ALL NEW APPLICANTS APPLYING FOR A, B, C, D, OR S.
REVIEWED FINANCIAL STATEMENTS ARE REQUIRED FOR ALL NEW APPLICANTS APPLYING FOR E.**

City of Tulsa MUST be using a Construction Manager for Class E to apply.

FOR INTERNAL USE ONLY

Construction Manager Comments:

Construction Manager Recommendation:

- E – 1 (Contracts over \$250,000, but not exceeding \$1,000,000.00)
- E – 2(Contracts over \$250,000, but not exceeding \$5,000,000.00)
- E – 3(Contracts over \$250,000, but not exceeding \$10,000,000.00)
- E – 4(Contracts over \$250,000 in any amount)
- Do NOT approve.

Specific Reason for not approving:

Construction Manager Signature:

Date of Construction Manager Signature:

(Published in the Tulsa Daily Commerce
& Legal News,

December 19, 2005.)

ORDINANCE NO. 21207

AN ORDINANCE AMENDING TITLE 11, TULSA REVISED ORDINANCES CHAPTER 11, SECTION 1101, PROVIDING FOR CONSIDERATION OF THE RECOMMENDATION OF A CONSTRUCTION MANAGER FOR PREQUALIFICATION OF CONTRACTORS AND ADDITION OF CLASS E PRIME CONTRACTOR CONSTRUCTION CERTIFICATE; AMENDING SUBSECTION 1102.A PROVIDING FOR SUBMISSION OF A REVIEWED FINANCIAL STATEMENT FOR A CLASS E CONTRACTOR CERTIFICATE; AMENDING SUBSECTION 1102.B TO PROVIDE A FILING FEE FOR CLASS E APPLICATIONS; AMENDING SECTION 1102 BY ADDING SUBSECTION J. PROVIDING THE BASIS FOR A CONSTRUCTION MANAGER RECOMMENDATION; AMENDING SECTION 1103 PROVIDING REQUIREMENTS FOR REJECTING BIDS BASED ON PREQUALIFICATION STATUS; PROVIDING FOR SEVERABILITY; REPEALING ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. That Title 11, Tulsa Revised Ordinances, Chapter 11, Section 1101, be and the same is hereby amended to read as follows:

"SECTION 1101. POWERS AND DUTIES OF THE DIRECTOR

A. It shall be the duty of the Director to investigate and examine the qualifications of all contractors applying for a prequalification certificate and, upon determining that an applicant meets the requirements of this chapter and is in all respects responsible, qualified and competent for the class, character and magnitude of the work which the applicant proposes or intends to perform under contract with the City of Tulsa, to issue a certificate of prequalification to such contractor.

In determining the acceptability of an applicant for the purpose of prequalifications, the Director shall, among other things, investigate and consider the following:

A. It shall be the duty of the Director to investigate and examine the

qualifications of all contractors applying for a prequalification certificate and, upon determining that an applicant meets the requirements of this chapter and is in all respects responsible, qualified and competent for the class, character and magnitude of the work which the applicant proposes or intends to perform under contract with the City of Tulsa, to issue a certificate of prequalification to such contractor.

In determining the acceptability of an applicant for the purpose of prequalifications, the Director shall, among other things, investigate and consider the following:

1. Financial responsibility;
2. The character, quality and availability of the contractor's equipment, machinery and experienced personnel;
3. The performance record of the applicant in the performance of other contracts for public or private improvements;
4. The nature and extent of other contract commitments involving the use of the applicant's machinery, equipment and personnel;
5. Reputation for reliability and integrity;
6. The recommendation of the construction manager for the public improvement when the City is the general contractor and has contracted with a construction manager for the public improvement; and
7. Any other fact which would materially affect the ability of the applicant to properly, adequately, expeditiously and satisfactorily perform such work as might be awarded to such contractor.

B. If the Director, after investigation and examination of the applicant, determines that the applicant is qualified to perform contracts with the City of Tulsa, he shall issue a certificate of prequalification for the class and type of work which the applicant proposes or intends to perform under contracts with the City of Tulsa.

C. Such prequalification certificate shall certify that the applicant is qualified to bid upon one or more of the following classes or categories of public improvements.

1. **Class A - General.** The Class A General Certificate shall entitle the holder to bid upon any and all contracts, without limitations.

2. **Class B - Building Construction.** The Class B Building Construction Certificate shall entitle the holder to bid upon all proposed contracts for the construction, erection and installation of buildings, warehouses and all other public improvements and public structures, except those described as Class C and Class D.

3. **Class C - Paving and Bridge Construction.** The Class C Paving and Bridge Construction Certificate shall entitle the holder to bid upon the grading, paving, surfacing, resurfacing, draining, guttering, bridging and other work involved in the construction or reconstruction of streets, alleys and private ways.

4. **Class D - Utility Construction.** The Class D Utility Construction Certificate shall entitle the holder to bid upon the installation and construction of all public utilities, such as waterworks, water lines, sanitary sewers, storm sewers and related facilities.

5. **Class E - Prime Contractor Construction.** The Class E Prime Contractor Construction Certificate shall entitle the holder to bid upon proposed contracts involved in the construction of a public building improvement, except those described as Class A, Class C, and Class D, when the City is the general contractor and has contracted with a construction manager to oversee the public building improvement. The certificate shall identify one of the following subclasses representing the maximum amount of a proposed contract upon which the holder will be entitled to bid, based upon the estimated cost of the proposed contract, as determined by the Director:

- E - Proposed contracts with an estimated cost not exceeding One Million Dollars (\$1,000,000.00)
- 1
- E - Proposed contracts with an estimated cost not exceeding Five Million Dollars (\$5,000,000.00)
- 2
- E - Proposed contracts with an estimated cost not exceeding Ten Million Dollars (\$10,000,000.00)
- 3
- E - Proposed contracts in any amount.
- 4

6. **Class S - General/Specialty Construction.** The Class S Construction Certificate shall entitle the holder to bid upon any public improvement not classified above, the estimated cost of which exceeds the sum of Six Hundred Thousand Dollars (\$600,000.00).

D. The Director shall have the power to revoke or temporarily suspend a prequalification certificate of any contractor, subject to express conditions for reinstatement, when such contractor has:

1. Misrepresented any material fact in his application for prequalification certificate;
2. Defaulted in the performance of a contract with the City of Tulsa;
3. Failed to complete satisfactorily the performance of a contract with the

City of Tulsa;

4. Failed to execute a contract awarded by the City of Tulsa; or
5. Ceased to possess any of the qualifications necessary hereunder for issuance of a prequalification certificate."
Ord. No. 17285

Section 2. That Title 11, Tulsa Revised Ordinances, Chapter 11, Subsection 1102.A, be and the same is hereby amended to read as follows:

"A. **Application.** All applications for prequalification shall be filed with the City Clerk. Such application shall be upon forms containing the information prescribed by the Director and shall be verified before a notary public. Such application shall be accompanied by the following:

1. An audited financial statement by new applicants, except when application is for a Class E Prime Contractor Construction Certificate, in which case a reviewed financial statement from a Certified Public Account indicating a current asset-to-debt ratio of not less than 1.5 may be substituted for an audited financial statement;
2. A statement from a surety that the applicant is qualified and, if the applicant is the successful bidder, that the surety will furnish bonds as required by the contracting agency; and
3. Authorization for applicant's bank to release credit history to the Director.

The City Clerk shall immediately transmit, upon receiving and filing, such application and information to the Director for consideration as provided herein."

Section 3. That Title 11, Tulsa Revised Ordinances, Chapter 11, Subsection 1102.B, be and the same is hereby amended to read as follows:

"B. **Application Fees.** At the time of filing, each applicant shall pay to the City a filing fee according to the following schedule for an original application and for the filing of renewal or reinstatement applications.

FILING FEE

CLASS	ORIGINAL APPLICATION	RENEWAL OR REINSTATEMENT
A	\$ 225.00	\$ 25.00
B	\$ 225.00	\$ 25.00
C	\$ 225.00	\$ 25.00
D	\$ 225.00	\$ 25.00
E	\$ 225.00	\$ 25.00
S	\$ 225.00	\$ 25.00

In the event an applicant applies for or is qualified to bid upon one or more of the above classes or categories of public improvements, only one fee for the original application or renewal or reinstatement shall be paid, which fee shall be that provided for the highest classification or category for which application is made or prequalification certificate issued."

Section 4. That Title 11, Tulsa Revised Ordinances, Chapter 11, Section 1102, be and the same is hereby amended by adding thereto paragraph J. to read as follows:

"J. **Construction Manager Recommendation.** The recommendation of the construction manager for Class E applications will be based on the construction manager's investigation and evaluation of the applicant's capabilities, past experience, safety record, current work load, bonding capacity, and other criteria set forth in this Chapter."

Ord. Nos. 17106, 17285, 17473, 17990

Section 5. That Title 11, Tulsa Revised Ordinances, Chapter 11, Subsection 1103.A, be and the same is hereby amended to read as follows:

"A. No bid for the construction of any public improvement, the estimated cost of which exceeds Two Hundred Fifty Thousand Dollars (\$250,000.00), or in the case of Class S construction, Six Hundred Thousand Dollars (\$600,000.00), shall be received and filed by the City Clerk of the City of Tulsa unless the person submitting the bid has prequalified as provided herein and is the holder of a current certificate of prequalification in full force and effect on the date such bid is submitted and filed in a Certificate Class required by the bid documents."

Section 6. SEVERABILITY CLAUSE. If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the

remainder of this ordinance or any part thereof.

Section 7. *REPEAL OF CONFLICTING ORDINANCES. That all ordinances or parts of ordinances in conflict herewith be and the same are now expressly repealed.*

Section 8. *EMERGENCY CLAUSE. That an emergency is now declared to exist for the preservation of the public peace, health and safety, by reason whereof this ordinance shall take effect immediately from and after its adoption, approval, and publication.*

ADOPTED by the Council: December 8, 2005.
Date

s/ Roscoe H. Turner _____
Chairman of the Council

ADOPTED as an emergency measure: December 8, 2005.
Date

s/ Roscoe H. Turner _____
Chairman of the Council

OFFICE OF THE MAYOR

Received by the Mayor: N/A, at _____.
Date Time

Bill LaFortune, Mayor

By _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: December 12, 2005,

Date

at 9:00 a.m..
Time

s/ Bill LaFortune _____
Mayor

(Seal)
ATTEST:

s/ Dana Burks _____
Deputy City Clerk

APPROVED:

s/ Alan L. Jackere
City Attorney

APPOINTMENT OF AGENT BY NON-RESIDENT CONTRACTOR

_____, being a non-resident of
(APPLICANT NAME)

Tulsa County, Oklahoma, and not having a principal place of business in Tulsa County, Oklahoma, hereby appoints

_____, whose phone number and address is _____
(NAME OF AGENT) (PHONE)

_____, a resident of said
(ADDRESS: STREET, CITY, ZIP)

county, as agent for said _____
(APPLICANT)

to receive all legal process which may be issued against the said _____
(APPLICANT)

by the City of Tulsa on any claim arising out of any contract granted by the City of Tulsa under a
certificate of prequalification granted to _____
(APPLICANT)

DATED this _____ day of _____ 200_____.

Agent

CHAPTER 11

PREQUALIFICATION OF CONTRACTORS

Section 1100. Definitions.

Section 1101. Powers and Duties of the Director.

Section 1102. Certificate of Prequalification.

Section 1103. Rejection of Bids.

Section 1104. Re-Examination of Qualifications.

Section 1105. Prior Certificates.

SECTION 1100. DEFINITIONS

Unless otherwise expressly stated, the following terms shall, for the purposes of this chapter be defined as set forth in this section.

A. **Public Improvement** shall mean any building, street, alley, pavement, sanitary sewer, storm sewer, water line or any other improvement or structure which is constructed under contract with the City of Tulsa, Oklahoma, or as a part of a privately funded public improvement.

B. **Director** shall mean the Director of the Public Works Department, his authorized representative or any person, board or committee assigned the duties prescribed herein by executive order of the Mayor of the City of Tulsa.

C. **Person** shall mean any individual, firm, corporation, association, partnership, joint venture or other contracting entity.

D. **Contractor** shall mean any person who submits a bid for the construction of a public improvement.

Ord. No. 17285

SECTION 1101. POWERS AND DUTIES OF THE DIRECTOR

A. It shall be the duty of the Director to investigate and examine the qualifications of all contractors applying for a prequalification certificate and, upon determining that an applicant meets the requirements of this chapter and is in all respects responsible, qualified and competent for the class, character and magnitude of the work which the applicant proposes or intends to perform under contract with the City of Tulsa, to issue a certificate of prequalification to such contractor.

In determining the acceptability of an applicant for the purpose of prequalifications, the Director shall, among other things, investigate and consider the following:

1. Financial responsibility;
2. The character, quality and availability of the contractor's equipment, machinery and experienced personnel;
3. The performance record of the applicant in the performance of other contracts for public or private improvements;
4. The nature and extent of other contract commitments involving the use of the applicant's machinery, equipment and personnel;
5. Reputation for reliability and integrity; and
6. Any other fact which would materially affect the ability of the applicant to properly, adequately, expeditiously and satisfactorily perform such work as might be awarded to such contractor.

B. If the Director, after investigation and examination of the applicant, determines that the applicant is qualified to perform contracts with the City of Tulsa, he shall issue a certificate of prequalification for the class and type of work which the applicant proposes or intends to perform under contracts with the City of Tulsa.

C. Such prequalification certificate shall certify that the applicant is qualified to bid upon one or more of the following classes or categories of public improvements.

1. **Class A - General.** The Class A General Certificate shall entitle the holder to bid upon any and all contracts, without limitations.

2. **Class B - Building Construction.** The Class B Building Construction Certificate shall entitle the holder to bid upon all proposed contracts for the construction, erection and installation of buildings, warehouses and all other public improvements and public structures, except those described as Class C and Class D.

3. **Class C - Paving and Bridge Construction.** The Class C Paving and Bridge Construction Certificate shall entitle the holder to bid upon the grading, paving, surfacing, resurfacing, draining, guttering, bridging and other work involved in the construction or reconstruction of streets, alleys and private ways.

4. **Class D - Utility Construction.** The Class D Utility Construction Certificate shall entitle the holder to bid upon the installation and construction of all public utilities, such as waterworks, water lines, sanitary sewers, storm sewers and related facilities.

5. **Class S - General/Specialty Construction.** The Class S Construction Certificate shall entitle the holder to bid upon any public improvement not classified above, the estimated cost of which exceeds the sum of Six Hundred Thousand Dollars (\$600,000.00).

D. The Director shall have the power to revoke or temporarily suspend a prequalification certificate of any contractor, subject to express conditions for reinstatement, when such contractor has:

1. Misrepresented any material fact in his application for prequalification certificate;
2. Defaulted in the performance of a contract with the City of Tulsa;
3. Failed to complete satisfactorily the performance of a contract with the City of Tulsa;
4. Failed to execute a contract awarded by the City of Tulsa; or
5. Ceased to possess any of the qualifications necessary hereunder for issuance of a prequalification certificate.

Ord. No. 17285

SECTION 1102. CERTIFICATES OF PREQUALIFICATION

A. **Application.** All applications for prequalification shall be filed with the City Clerk. Such application shall be upon forms containing the information prescribed by the Director and shall be verified before a notary public. Such application shall be accompanied by the following:

1. An audited financial statement by new applicants;
2. A statement from a surety that the applicant is qualified and, if the applicant is the successful bidder, that the surety will furnish bonds as required by the contracting agency; and
3. Authorization for applicant's bank to release credit history to the Director.

The City Clerk shall immediately transmit, upon receiving and filing, such application and information to the Director for consideration as provided herein.

B. **Application Fees.** At the time of filing, each applicant shall pay to the City a filing fee according to the following schedule for an original application and for the filing of renewal or reinstatement applications.

FILING FEE		
CLASS	ORIGINAL APPLICATION	RENEWAL OR REINSTATEMENT
A	\$ 225.00	\$ 25.00
B	\$ 225.00	\$ 25.00
C	\$ 225.00	\$ 25.00
D	\$ 225.00	\$ 25.00
S	\$ 225.00	\$ 25.00

In the event an applicant applies for or is qualified to bid upon one or more of the above classes or categories of public improvements, only one fee for the original application or renewal or reinstatement shall be paid, which fee shall be that provided for the highest classification or category for which application is made or prequalification certificate issued.

C. **Issuance and Recordation.** Upon the receipt of an application and the completion of the investigation called for in Section 1101, the Director shall approve or disapprove the application. Such approval or disapproval shall be entered by the City Clerk in a prequalification record to be kept as part of the public records of the City of Tulsa. If the application is approved, the City Clerk shall issue or cause to be issued to the applicant a certificate setting forth the fact of prequalification and the class of certificate for which such applicant has been approved. The contractor's prequalification record kept by the City Clerk shall contain the name and business address of the applicant, the date of issuance of the certificate of prequalification, and the class of certificate issued, together with any change, modification, revocation or suspension of such certificate.

D. **Revocation or Suspension of Prequalifications.** In the event the Director determines that a contractor's certificate of prequalification should be revoked or temporarily suspended as herein provided, the Director shall notify the contractor and shall afford the contractor an opportunity to be heard. Such notice of revocation or suspension shall give the reasons therefore and shall state the date, time and place of the hearing before the Director. After the hearing, or in the event the contractor fails to appear at such hearing, the Director shall, within five (5) days, issue his order revoking or temporarily suspending the certificate of prequalification, allowing the certificate to remain in effect, or amending the certificate. In the event that the contractor's certificate of prequalification is revoked or temporarily suspended, such revocation or suspension shall be subject to express conditions for reinstatement.

E. **Appeal.** An appeal from the Director's decision to revoke, suspend or modify a prequalification certificate may be taken to the Council by the filing of a notice of appeal with the City Clerk within ten (10) days of date of the order of revocation, suspension or modification of the certificate.

F. **Expiration.** All certificates of prequalification shall expire on the 90th day following the end of the fiscal year of the certificate holder except that a certificate shall be automatically extended pending approval by the Director of a timely filed renewal application. All certificates of prequalification must be renewed annually by filing an application for renewal on forms containing the information prescribed by the Director, and by paying the renewal application fees as above provided. All such renewals shall be for a period of one (1) year from the expiration date. If the renewal application is not received within ten (10) days after the expiration date of a certificate, the applicant must file an original application. An extension of ninety (90) days in which to file a renewal application shall be granted upon the filing of a request with the City Clerk within ten (10) days of the expiration of the current certificate of prequalification.

G. **Special Requirements for Certification.** No certification of prequalification shall be issued to any applicant unless and until, in addition to establishing qualification to the satisfaction of the Director in accordance with the provisions contained herein, the applicant establishes:

1. If an individual, that he has been actively engaged in supervising construction work in the category and classification for which certification is required, continuously for an uninterrupted period of at least two (2) years within the five (5) years next preceding the date of application; or

2. If a partnership, individual, joint venture or other bidding entity except a corporation, that at least one (1) of the partners, joint venturers, members or employees of such association or bidding entity has been engaged in a supervisory capacity in the category and classification for which certification is requested, continuously for an uninterrupted period of at least two (2) of the five (5) years immediately preceding the date of application; providing that such partner, joint venturer, member or employee shall remain in the employ of the contractor during the period of the prequalification certificate and during the performance of any contract with the City of Tulsa; or

3. If a corporation, that either the chief executive officer or the officer having the responsibility for the management, supervision, control and conduct of any work to be done by the corporation under the certificate of prequalification, has been actively engaged in a supervisory capacity in the category or classification of work for which the certificate is requested, continuously for an uninterrupted period of at least two (2) of the five (5) years immediately preceding the date of application; provided, however, that a certificate of prequalification may be awarded upon establishing that the employee,

servant or agent who shall be named in the application as having direct personal supervision and control over any work to be performed under the certificate of prequalification has had the experience above required, and provided that such person shall remain in the employ of the corporation during the period of the prequalification certificate and during the performance of any contract with the City of Tulsa.

H. **Service Agent Required for Nonresident Applicants.** In the case of applicants who are not residents of Tulsa County, Oklahoma, or who do not have their principal place of business in Tulsa County, Oklahoma, no certificates of prequalification shall be issued unless such applicant shall designate, as a part of its application, an individual resident of Tulsa County, Oklahoma, as a service agent upon whom service of process may be made by the City of Tulsa in any action against the applicant arising from the performance of or involving any contract that may be awarded to the applicant under a certificate of prequalification.

I. **Automatic Prequalification.** Any contractor submitting, with the application and fee provided above, proof of certification by the Oklahoma Department of Transportation, shall be automatically prequalified for the City of Tulsa for Classes C and D so long as such Department of Transportation certification is held by the contractor. The contractor so prequalified shall notify the City in writing of the revocation, suspension or change in his certification by the Oklahoma Department of Transportation.

Ord. Nos. 17106, 17285, 17473, 17990

SECTION 1103. REJECTION OF BIDS

A. No bid for the construction of any public improvement, the estimated cost of which exceeds Two Hundred Fifty Thousand Dollars (\$250,000.00), or in the case of Class S construction, Six Hundred Thousand Dollars (\$600,000.00), shall be received and filed by the City Clerk of the City of Tulsa unless the person submitting the bid has prequalified as provided herein and is the holder of a current certificate of prequalification in full force and effect on the date such bid is submitted and filed.

B. The City Clerk shall return unopened all bids of any bidder who is not shown by the records of the City Clerk to be the holder of a current prequalification certificate, and unless the certificate number and the statement of no change of condition as herein provided are endorsed upon and accompanied by the submission of such bid.

Ord. Nos. 17285, 17990

SECTION 1104. RE-EXAMINATION OF QUALIFICATIONS

The Director, the Mayor and the administrative departments of the City of Tulsa are hereby authorized to reexamine the qualifications of any contractor whose qualifications have changed in any way since this issuance of a prequalification certificate, and to take

into consideration any change of qualifications in determining the lowest and most secure bid for the construction of any public improvement.

Ord. No. 17285

SECTION 1105. PRIOR CERTIFICATES

After the effective date of this ordinance, the holder of any valid certificate of prequalification, granted pursuant to a prior ordinance, shall be deemed to be prequalified for all work within that class without regard to any limitations as to the estimated construction cost of a project through and including the 90th day following the end of the fiscal year for which the certificate holder has been issued a prequalification certificate.

Ord. Nos. 17285, 17990