

Public Library of Charlotte & Mecklenburg County
Prequalification Application for First –Tier Subcontractors under CM at Risk

1. e. (2) Have any Funds been expended by a Surety Company on your firm’s behalf? Yes No If yes, explain

[Matrix: If “Yes,” with no explanation given, proposal is non-responsive and will not be considered for pre-qualification.]

Insurance

1. f. The minimum requirements of coverage are defined on the Sample Certificate of Insurance (COI) (See Appendix C for Sample COI). Firms must indicate that they can provide evidence of insurance coverage, should they be considered for approval by attaching a copy of their insurance certificate. Additionally, should your firm not currently carry the exact insurance requirements defined within the Sample Certificate of Insurance, applicant agrees to provide the specified insurance as a precedent to award of a contract. Have you attached a copy of your insurance certificate meeting the aforementioned specified requirements or agree to provide the specified insurance if not currently carried by your firm? Yes No

[Matrix: If “No,” proposal is non-responsive and will not be considered for pre-qualification.]

Financials

1. g. (1) **Part 1 – Financial Statements** - Attach most recent fiscal year-end balance sheet and income statement, if available, based on company type. Audited statements preferred. If not available, attach a copy of the latest annual renewal submission to the relevant licensing board. In all cases, either a full year audited financial statement or an internal balance sheet with income statement or business tax return must be provided in order to be considered for pre-qualification approval.

Have you attached a balance sheet or other acceptable financial documents referenced above? Yes No

[Matrix: If “No,” proposal is non-responsive and will not be considered for pre-qualification.]

1. g. (2) **Part 2 – Financial Metrics** – As a minimum requirement to become pre-qualified, the metrics illustrated below must be achieved in order to be approved for prequalification with one exception if the firm doesn’t meet or exceed these designated metrics, a Performance and Payment Bond (see requirements under the Bond section above) can be substituted by the firm should the company become the successful low bidder for a particular bid package(s). This review and approval for this section will be based on the sum total of the preliminary budget amounts (greatest estimated contract amount if seeking approval for more than one bid package) identified herein for the proposed bid package(s) being sought for pre-qualification approval.

Have you achieved your metrics or provided evidence of bond-ability based on the anticipated contract value for the bid packages seeking approval?

Yes No

[Matrix: If “No,” proposal is non-responsive and will not be considered for pre-qualification.]

Public Library of Charlotte & Mecklenburg County
Prequalification Application for First –Tier Subcontractors under CM at Risk

Metrics:

Contract(s) Amounts: \$0 to \$200,000

Debt to Equity (Total Liabilities/Total Equity) is between 0 and 5.0

Current Ratio (Current Assets/Current Liabilities) is greater than 1.1

Net Current Assets (Current Assets less Current Liabilities) greater than \$1

Contract(s) Amounts: \$200,000 to \$500,000

Debt to Equity (Total Liabilities/Total Equity) is between 0 and 4.0

Current Ratio (Current Assets/Current Liabilities) is greater than 1.2

Net Current Assets (Current Assets less Current Liabilities) greater than \$20,000

Contract(s) Amounts: \$500,000 and above

Debt to Equity (Total Liabilities/Total Equity) is between 0 and 3.0

Current Ratio (Current Assets/Current Liabilities) is greater than 1.3

Net Current Assets (Current Assets less Current Liabilities) greater than \$50,000

Confidentiality

The Library, the County and Rodgers and their respective agents will attempt to keep your financial information confidential. However, once submitted to us, your financial information, as well as your entire Application and supporting documents (“Application”) may be public records, except for material which qualifies as “trade secret” information under N.C. Gen. Stat. § 66-152(3) et seq. Be advised that audited financial statements of public companies are not trade secrets, nor is pricing information. Please consult your attorney about whether any other information contained in your Application qualifies as a trade secret.

If you contend that any portion of your Application is a trade secret that may not be disclosed, please take the following precautions: (a) any trade secrets should be submitted in a separate, sealed envelope marked “Trade Secret – Confidential and Proprietary Information – Do Not Disclose Except for the Purpose of Evaluating this Application, and (b) the same trade secret/confidentiality designations should be stamped on each page of the trade secret materials contained in the envelope. **Do not attempt to designate your entire Application as a trade secret.**

In submitting an Application, each applicant agrees that the Library, Mecklenburg County and Rodgers may reveal any trade secret materials contained in such Application to their respective staff and public officials involved in the prequalification and selection process, and to any outside consultant or other third party who assists in the prequalification or selection process.

Furthermore, each Applicant agrees to indemnify and hold harmless the Library, the County, Rodgers and any of their employees, officials, consultants or agents from all costs, damages, and expenses incurred in connection with refusing to disclose any material that the Applicant has designated as a trade secret.

Check applicable item below as how financials are being submitted.

Attached

Sent Via Email

Sent Via Facsimile

Public Library of Charlotte & Mecklenburg County
Prequalification Application for First –Tier Subcontractors under CM at Risk

SECTION 2. GENERAL REQUIREMENTS

Experience - Size/Capacity/Workload

2. a. (1) List the annual dollar value of construction work the company has performed for each year over the last (3) three calendar years (if applicable).

1 \$ _____ (yr)	2 \$ _____ (yr)	3 \$ _____ (yr)
-----------------	-----------------	-----------------

[Matrix: 0-6 points. For each year completed (positive value), give 2 points each.]

2. a. (2) How many projects do you currently have under contract or in progress and what is their total dollar value?

- _____ (# of projects);
- \$ _____ (Current projects sum of contract amounts);
- \$ _____ (Projects current amount remaining to bill)

[Matrix: 0-5 points. If section completed give 5 points. If not, give 0 points.]

2. a. (3) What was your largest job completed? _____ Sq. Ft. \$ _____ (Dollar Amount)
 _____ Location _____ Year Completed

[Matrix: 0-5 points.

Step One: Take the “dollar amount of largest job completed” and multiply by 1.5.

Step Two: If the result is larger than the sum total of estimated package(s) cost being prequalified for by 100% then give 5 points;

If the result is larger than the sum total of estimated package(s) cost being prequalified for by 80% and less than 100% then give 4 points;

If the result is larger than the sum total of estimated package(s) cost being prequalified for by 60% and less than 80% then give 3 points;

If the result is larger than the sum total of estimated package(s) cost being prequalified for by 40% and less than 60% then give 2 points;

If the result is larger than the sum total of estimated package(s) cost being prequalified for by 20% and less than 40% then give 2 points;

If the result is larger than the sum total of estimated package(s) cost being prequalified for by 10% and less than 20% then give 1 point.

If the result is smaller than the sum total of estimated package(s) cost being prequalified for then give 0 points.]

Example No.1: Result of Largest Job Completed = 1,000,000 x 1.5 = \$1,500,000

Sum Estimated Total of Bid Package(s): \$687,000

\$1,500,000 / \$687,000 = 2.18 or 118% greater = 5 points

Example No.2: Result of Largest Job Completed = 1,000,000 x 1.5 = \$1,500,000

Sum Estimated Total of Bid Package(s): \$1,200,000

\$1,500,000 / \$1,200,000 = 1.25 or 25% greater = 2 points

Public Library of Charlotte & Mecklenburg County
Prequalification Application for First –Tier Subcontractors under CM at Risk

2. a. (5) List the three largest contracts currently under contract or in progress, including the name of the project and owner, architect and/or GC/CMR with contact information below.

#1 –Project Name	(In addition to project information and at a minimum, list out entity who is providing your reference below)
Description of Work Performed	
Contract Delivery Method (CM/GC)?	
Owner Name/ Representative	
Owner Address/Phone #/Email	
Architect Name/Representative	
Architect Address/Phone #/Email	
GC or CM Name/Representative	
GC or CM Address/Phone #/Email	
Contract Dollar Value	
Percentage Complete	
Current Anticipated Completion Date	

#2 –Project Name	(In addition to project information and at a minimum, list out entity who is providing your reference below)
Description of Work Performed	
Contract Delivery Method (CM/GC)?	
Owner Name/ Representative	
Owner Address/Phone #/Email	
Architect Name/Representative	
Architect Address/Phone #/Email	
GC or CM Name/Representative	
GC or CM Address/Phone #/Email	
Contract Dollar Value	
Percentage Complete	
Current Anticipated Completion Date	

**Public Library of Charlotte & Mecklenburg County
Prequalification Application for First –Tier Subcontractors under CM at Risk**

#3 –Project Name	(In addition to project information and at a minimum, list out entity who is providing your reference below)
Description of Work Performed	
Contract Delivery Method (CM/GC)?	
Owner Name/ Representative	
Owner Address/Phone #/Email	
Architect Name/Representative	
Architect Address/Phone #/Email	
GC or CM Name/Representative	
GC or CM Address/Phone #/Email	
Contract Dollar Value	
Percentage Complete	
Current Anticipated Completion Date	

[Matrix: 0-5 points for each project listed, total of 15 points. For each project above, give 5 points for a positive reference from either the owner, architect or GC/CMR. Positive reference can be in the form of a written reference accompanied with this application from the designated entity (owner, architect or GC/CMR) or through verification by CM following submission of application. CM will attempt to reach out to each reference above in written form and failure of the entity to respond back to the CM’s written inquiry (either written or oral) within five (5) business days will result in forfeiture of points applicable to the given entity. If reference is obtained verbally, CM will document conversation for the record.]

Public Library of Charlotte & Mecklenburg County
Prequalification Application for First –Tier Subcontractors under CM at Risk

2. b. (1) Has your company ever failed to complete work awarded (under contract) to it? Yes No If yes, please provide project name(s), year(s), and reason why:

[Matrix: 0-5 points. If company has never failed to complete work it has been awarded then give 5 points; if the company has failed to complete one (1) project it has been awarded then give 2 points; if the company has failed to complete two (2) or more projects it has been awarded then give 0 points.]

2. b. (2) Have you ever paid liquidated damages on any project? Yes No
If yes, state the project name(s), year(s), and reason why.

[Matrix: 0-3 points. If company has never paid liquidated damages on any of its projects then give 3 points; if the company has paid liquidated damages on only one project then give 2 points; if the company has paid liquidated damages on only two projects then give 1 point; if the company has paid liquidated damages on three or more projects then give 0 points.]

2. b. (3) Has your present company, its officers, owners, or agents ever been convicted of charges relating to conflicts of interest, bribery, or bid-rigging? Yes No If yes, state the project name(s), year(s), and reason why.

[Matrix: 0 -3 points. If “Yes,” give 0 points. If “No,” give 3 points.]

2. b. (4) Has your present company, its officers, owners, or agents ever been barred from bidding public work in North Carolina? Yes No If yes, state the project name(s), year(s), case number and reason why.

[Matrix: 0 - 3 points. If “Yes,” give 0 points. If “No,” give 3 points.]

Safety Record

2. c. List your company’s Experience Modification Rate (EMR) for past three years. (Attach OSHA 300 Log for the last 3 years.) Have you attached OSHA 300 log? Yes No

_____	_____	_____
Present Rate	Last Rate	Year before rate

If these rates reflect corporate performance over a number of locations, please explain, to the extent possible, the performance experience of the location serving this project:

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

[Matrix: 0-5 points. If company has EMR rating less than or equal to 1 then give 5 points; if the company has EMR rating greater than 1 and less than 1.10 then give 3 points; if the company has EMR rating greater than 1.10 then give 0 points.]

**Public Library of Charlotte & Mecklenburg County
Prequalification Application for First –Tier Subcontractors under CM at Risk**

Historically Underutilized Business (HUB) Plan

2. d. Does the company currently have a documented plan for engaging subcontractor participation from Historically Underutilized Businesses? Yes No If yes, please attach your company’s HUB plan.

[Matrix: 0-3 points. If company has a current documented plan give 3 points. If not, give 0 points.]

2. e. What has been your company’s typical percentage level of Historically Underutilized Business participation for similar projects in North Carolina for the past 5 years? _____%

List the HUB participation you provided in three “similar” projects cited in Section 3. e. as defined below, including name, percentage achieved and CM/GC/Owner representative’s name and telephone number.

Project Name	HUB %	CM/GC/Owner’s Rep	Contact Phone #

[Matrix: 0-3 points, 3 points total. If information provided for each project, give 1 point per project. If information is not provided per project, give 0 points per project. To get points, not all HUB % listed needs to be over 10%]

Litigation/Claims

2. f. (1) Has your company been a party to any litigation or arbitration proceedings within the last five years, whether resolved or still pending resolution? Yes No If yes, state the project name(s), year(s), case number and a description of the dispute:

[Matrix: 0-4 points. If “Yes,” with no explanation given then give 0 points; if “Yes” with an explanation given or “No” then give 5 points]

2. f. (2) Are there currently any judgments or arbitration awards against your company that remain unsatisfied or unpaid? Yes No If yes, state the project name(s), year(s), case number(s), judgment creditor, amount of judgment, and reason it remains unpaid:

[Matrix: 0-4 points. If “Yes,” with no explanation given then give 0 points; if “Yes” with an explanation given or “No” then give 5 points]

SECTION 3. PROJECT SPECIFICS

3.a. The assigned project superintendent for this project shall be: _____.

Include a resume. Have you included a resume? Yes No

[Matrix: 0-2 points. If resume included, give 2 points. If not, give 0 points.]

Public Library of Charlotte & Mecklenburg County
Prequalification Application for First –Tier Subcontractors under CM at Risk

3.b. The experience this superintendent has on this specific type of project is: 0-2 3-4 5-10 >10
years.

[Matrix: 0-5 points. If 0-2 years give 1 pt, 3-4 years give 2 pts, 5-10 years give 4 pts, >10 years give 5 pts.]

3.c. The assigned project manager for this project shall be _____.
Include a resume. Have you included a resume? Yes No

[Matrix: 0-2 points. If resume included, give 2 points. If not, give 0 points.]

3.d. The experience this project manager has on this specific type of project is: 0-2 3-4 5-10 >10
years.

[Matrix: 0-5 points. If 0-2 years give 1 pt, 3-4 years give 2 pts, 5-10 years give 4 pts, >10 years give 5 pts.]

Similar Projects

3.e. List three (3) current or completed projects of similar type which most closely reflects the size, scope, and complexity of the type of work being requested for the currently proposed project within the last 5 years.

#1 –Similar - Project Name	(In addition to project information and at a minimum, list out entity who is providing your reference below)
Description of Work Performed	
Contract Delivery Method (CM/GC)?	
Owner Name/ Representative	
Owner Address/Phone #/Email	
Architect Name/Representative	
Architect Address/Phone #/Email	
GC or CM Name/Representative	
GC or CM Address/Phone #/Email	
Contract Dollar Value	
Percentage Complete	
Current Anticipated Completion Date	
MWBE Percentage Achieved	

Public Library of Charlotte & Mecklenburg County
Prequalification Application for First –Tier Subcontractors under CM at Risk

#2 –Similar - Project Name	(In addition to project information and at a minimum, list out entity who is providing your reference below)
Description of Work Performed	
Contract Delivery Method (CM/GC)?	
Owner Name/ Representative	
Owner Address/Phone #/Email	
Architect Name/Representative	
Architect Address/Phone #/Email	
GC or CM Name/Representative	
GC or CM Address/Phone #/Email	
Contract Dollar Value	
Percentage Complete	
Current Anticipated Completion Date	
MWBE Percentage Achieved	
#3 –Similar - Project Name	(In addition to project information and at a minimum, list out entity who is providing your reference below)
Description of Work Performed	
Contract Delivery Method (CM/GC)?	
Owner Name/ Representative	
Owner Address/Phone #/Email	
Architect Name/Representative	
Architect Address/Phone #/Email	
GC or CM Name/Representative	
GC or CM Address/Phone #/Email	
Contract Dollar Value	
Percentage Complete	
Current Anticipated Completion Date	
MWBE Percentage Achieved	

[Matrix: 0-5 points for each project listed, total of 15 points. For each project above, give 5 points for a positive reference from either the owner, architect or GC/CMR. Positive reference can be in the form of a written reference accompanied with this application from designated entity (owner, architect or GC/CMR) or through verification by CM following submission of application. CM will attempt to reach out to each reference above in written form and failure of the entity to respond back to the CM’s written inquiry (either written or oral) within five (5) business days will result in forfeiture of points applicable to the given entity. If reference is obtained verbally, CM will document conversation for the record.]

Public Library of Charlotte & Mecklenburg County
Prequalification Application for First –Tier Subcontractors under CM at Risk

SECTION 4. SIGNATURE (MINIMUM REQUIREMENT)

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

Company Name (as licensed in NC)

Physical Address

Mailing Address

a. Dated this day of: _____

Submitted by: _____

Signature By Authorized Officer

Print Title of Authorized Officer

Phone: _____
Contact person's phone number

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

b. Notary Certification:

North Carolina

_____ County

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

(Official Notary Seal or Stamp)

Signature of Notary Public

My commission expires _____, 20 ____

[Matrix: If signature section is NOT fully executed with notary, proposal is non-responsive and will not be considered for pre-qualification.]

Appendix (attachments)

- A. Sample Parent Guarantee Letter - **To Issued by Addendum at a Later Date**
- B. Sample Surety Letter
- C. Sample Certificate of Insurance (COI)

Appendix Attachment B. Sample Surety Letter

(To be placed on the Appropriate Surety Company Letterhead)

Date

Mr. William Satterfield, Risk Manager
Rodgers Builders, Inc.
5701 N. Sharon Amity Road
Charlotte, NC 28215

Re: Charlotte Mecklenburg Library New Main Library

Dear Mr. Satterfield:

We are pleased to advise you that **(Name of Surety Company)** has a bonding program in force for **(Name of Subcontractor)**. **(Name of Surety Company)** will provide bonds for projects that **(Name of Subcontractor)** bids or negotiates, providing **(Name of Subcontractor)** is awarded a mutual acceptable subcontract.

In handling their bonding needs, we are aware of the exemplary manner in which **(Name of Subcontractor)** meets their financial obligations to us, their suppliers, bankers, and others. As a result, we have in place for **(Name of Subcontractor)** an aggregate bonding program of approximately \$_____. Currently they have approximately \$_____ of available capacity and a single contract limit amount of approximately \$_____. **(Name of Subcontractor)** current bond rate is ____%.

We have handled **(Name of Subcontractor)** bonding needs for _____ years: they have always performed exceptionally. We feel that **(Name of Subcontractor)** will do an excellent job for you.

Please contact us should you have any questions.

Sincerely,

(Name of Surety Company)

(if applicable, attached the Power of Attorney)

CHARLOTTE MECKLENBURG
LIBRARY

November 16, 2015
Policy for the Pre-Qualification of Contractors for
Construction and Repair Contracts

Applicability of Policy

This policy on pre-qualification of contractors shall apply to a project involving construction and/or repair only if:

1. The Library is using one of the construction methods authorized by G.S. §143-128(a1)(1) through G.S. §143-128(a1)(3) and the Executive Director or Board of Trustees has determined that based on the size, specialized nature or complexity of the work to be done that it would be in the best interests of the Library for all contractors to be prequalified; or
2. The Library has entered into a contract with a construction manager at risk pursuant to which the construction manager at risk is required to prequalify first tier subcontractors pursuant to G.S. §143-128.1(c) .

The Library is not required to prequalify contractors for any particular project or projects. For any contract to which this policy applies, bids submitted by contractors who have not been prequalified will be deemed invalid and nonresponsive and shall be rejected.

Notwithstanding the fact that a contractor has been prequalified, the Library and, if applicable, the construction manager at risk, reserve the right to reject a contractor's bid if it is determined that the contractor has not submitted the lowest responsible and responsive bid. Pre-qualification shall not preclude the Library or the construction manager at risk from concluding that the contractor is not a responsible bidder pursuant to G.S. §143-129.

Pre-qualification Criteria

For any project to which this policy applies:

1. The Executive Director or his designee shall approve the specific pre-qualification criteria, the scoring values for the criteria and the assessment tool applicable to each contract to which this policy applies. For projects in which a construction manager at risk is utilized, the Executive Director or his designee and the construction manager at risk shall jointly set the specific pre-qualification criteria, the scoring values for the criteria and the assessment tool applicable to the project.
2. The specific criteria shall be rationally related to the construction and repair work to be performed under the contract and shall include prior experience with projects of similar size, scope and complexity. The criteria may also include any of the following:

- (a) Availability of sufficient personnel and equipment to properly manage and perform the contract;
- (b) Capacity to obtain payment and performance bonds required for the project;
- (c) Safety record;
- (d) Financial condition;
- (e) Capacity to provide required insurance, including but not limited to, general commercial liability, automobile and workers compensation insurance;
- (f) Litigation history;
- (g) Possession of any required licenses;
- (h) The contractor's level of performance on any previous contract between the contractor and the Library. However, no contractor shall be denied pre-qualification status solely on the basis that they have not previously been awarded a contract by the Library; and
- (i) Any other criteria deemed to be rationally related to the work to be performed.

Pre-qualification Application Process for Contracts Requiring Pre-qualification

Prior to submitting a bid, the contractor must submit a fully completed project specific application for pre-qualification ("Application for Pre-qualification"). The Application for Pre-qualification shall be the assessment tool for the project and shall incorporate the criteria and scoring values adopted for the project. Failure to provide any required information may result in a denial of pre-qualification.

1. The Application for Pre-qualification forms shall be available to all prospective bidders with the plans and specifications for the project. Any advertisements and notices concerning the project shall include a statement that pre-qualification is required and shall describe where the Application for Pre-qualification may be obtained and shall include the date by which it must be submitted.
2. The Application for Pre-qualification shall contain the name and contact information of the person to whom a protest of a denial of pre-qualification should be submitted.
3. Application for Pre-qualification must be submitted in a sealed envelope indicating the name and address of the applicant and the name of the project for which the Application for Pre-qualification is made, on the outside of the envelope and shall be addressed to the address set forth in the applicable Request for Bids.
4. All contractors submitting Applications shall be notified of their pre-qualification status by email. If the contractor is denied pre-qualification status, the notice shall include the reason for denial. Notice shall be provided prior to the opening of bids for the project and with sufficient time for the contractor to protest the denial of pre-qualification.
5. If a contractor has submitted a timely Application for Pre-qualification and the Library, or, if applicable, the construction manager at risk, has denied pre-qualification status, the contractor may protest the denial as set forth herein. The Library reserves the right to reject any Application for Pre-qualification that has not been submitted in a timely manner.
6. For any project to which this policy applies, bids submitted by contractors who have not been prequalified will be deemed invalid and nonresponsive and will be rejected.

Protest Process (Contractor)

For contracts requiring the pre-qualification of a prime contractor, the protest process shall be as follows:

1. Within 3 calendar days after the denial of pre-qualification is issued to a contractor, the contractor may submit a written protest to the Review Committee. The written protest may be submitted by email to William Satterfield @ wsatterfield@rogersbuilders.com . The written protest must clearly specify the name of the contractor and shall clearly articulate the reasons why the contractor is contesting the denial and shall attach all documents and additional information supporting the contractor's position.
2. The Review Committee will review the available information and if necessary hold a meeting with the contractor, and within five (5) calendar days of his receipt of the written protest, shall issue a decision either granting or denying pre-qualification status. If pre-qualification status is denied, the decision shall specify the reason for the denial.
3. If not satisfied with the Review Committee's decision, the contractor shall have three (3) calendar days to request, in writing, a hearing before the Executive Director or his designee. The hearing shall be held within five (5) calendar days of the Review Committee's receipt of the request. The hearing shall be informal and the contractor shall have the opportunity to ask questions and present evidence. The Executive Director or his designee shall issue a decision to the contractor within five (5) calendar days after the hearing.
4. The Executive Director may delegate the conduct of the hearings to the Project Manager and may adopt the recommendation of the Project Manager. In any case, the decision of the Executive Director or his designee shall be final.

Protest Process (Construction Manager at Risk)

For contracts requiring the pre-qualification of first tier subcontractors by a construction manager at risk, the protest process shall be as follows:

1. Within three (3) calendar days after the denial of pre-qualification is issued to the contractor, the contractor may submit a written protest to the Review Committee. The written protest may be submitted by electronic mail to William Satterfield @ wsatterfield@Rodgersbuilders.com . The written notice must clearly specify the name of the contractor and shall clearly articulate the reasons why the contractor is contesting the denial and shall attach all documents and additional information supporting the contractor's position.
2. The Review Committee will review the available information and if necessary hold a meeting with the contractor, and within five (5) calendar days of his receipt of the written protest, shall issue a decision either granting or denying pre-qualification status. If pre-qualification status is denied, the decision shall specify the reason for the denial.
3. If not satisfied with the Review Committee's decision, the contractor shall have three (3) calendar days to request, in writing to the Review Officer, a hearing before the Executive Director or his designee. The hearing shall be informal and the contractor shall have the opportunity to ask questions and present evidence.

4. The Executive Director may delegate the conduct of the hearings to the Project Manager and may adopt the recommendation of the Project Manager.
5. Within five (5) calendar days after the hearing, the Executive Director or his designee shall make a recommendation to the construction manager at risk. The recommendation of the Executive Director or his designee shall be made in writing to the construction manager at risk and may be delivered by facsimile, email or personal delivery.
6. The construction manager at risk shall have three (3) calendar days thereafter to review the recommendation and issue a decision as to the pre-qualification status of the contractor. The construction manager's decision shall be final.