

**AVE MARIA STEWARDSHIP COMMUNITY DISTRICT**

**CONTRACTOR'S PREQUALIFICATION STATEMENT  
(CONSTRUCTION OF PUBLIC INFRASTRUCTURE IMPROVEMENTS AND  
MAINTENANCE SERVICES)**

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**Contractor**

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**REQUEST FOR QUALIFICATIONS  
FOR CONSTRUCTION AND MAINTENANCE SERVICES  
AVE MARIA STEWARDSHIP COMMUNITY DISTRICT  
COLLIER COUNTY, FLORIDA**

The Ave Maria Stewardship Community District (“District”) requests Applications for Qualification from firms interested in providing construction and maintenance services for public infrastructure improvements. Upcoming projects include the construction of various infrastructure improvements and maintenance services in and around the District including construction of roadways, stormwater management facilities, irrigation facilities, earthwork, landscape, hardscape, street lighting, and other public improvements and maintenance services including exotic vegetation removal and lake and littoral maintenance. With the exception of landscaping, construction projects may include maintenance of existing infrastructure.

To be eligible to submit qualifications, firms must hold all required applicable licenses in good standing and be authorized to do business in the Collier County, and the State of Florida.

Applicants may request an Application for Qualification from Agnoli Barber & Brundage, Inc., 7400 Trail Boulevard, Suite 200, Naples, Florida 34108, or via email to [tryka@abbinc.com](mailto:tryka@abbinc.com) beginning **Friday, November 10, 2023**, after **12:00 p.m.** Applicants must submit one original and seven copies of the Application for Qualification, along with one (1) electronic copy (PDF format on a USB flash drive), by **3:00 p.m.** on **Monday, December 11, 2023**. Address responses to: Mr. Ted Tryka, District Engineer, 7400 Trail Boulevard, Suite 200, Naples, Florida 34108.

Qualified firms will be selected based on experience, qualifications of personnel, and ability to perform construction or maintenance services. Packages will be reviewed and rated by a committee appointed by the District Board of Supervisors, with final selected expected to be made at a publicly noticed Board of Supervisors meeting as soon as practicable after receipt of the recommendations of the Committee appointed by the Board to evaluate the submitted packages. At that time, all qualified firms may be assigned a project qualification for work under District contracts. All applicants will be promptly notified after the construction and maintenance firms are selected. The pre-qualification decisions of the Board of Supervisors shall be valid for a period of three (3) years, after which the Board of Supervisors may either extend the prequalification period for an additional two (2) years or open the prequalification process again, at its sole discretion. The District reserves the right to waive any informality in the qualifications submitted, to reject any and all qualifications submitted and to advertise for the services.

Pre-qualified firms will be eligible to bid on construction and maintenance projects subject to the applicants approved project classification and aggregate limit. Failure to pre-qualify may preclude the District from awarding contracts for construction and maintenance services to non-qualified firms.

Applicants may contact the District Engineer, at Agnoli Barber & Brundage, Inc., 7400 Trail Boulevard, Suite 200, Naples, Florida 34108 or via email to [tryka@abbinc.com](mailto:tryka@abbinc.com), until the qualifications submittal deadline for further information. All requests for information shall be in writing.

Todd Wodraska, District Manager

Publication Date: **11/10/23 Naples Daily News**

## **NOTICE TO PROSPECTIVE BIDDERS**

The information required herein is for the purpose of fairly evaluating contractor qualifications to perform various construction and maintenance activities for the Ave Maria Stewardship Community District (the "District").

**APPLICANTS FOR PREQUALIFICATION AS BIDDERS FOR THE AVE MARIA STEWARDSHIP COMMUNITY DISTRICT CONTRACTS ARE HEREBY NOTIFIED THAT INCLUSION OF FALSE, DECEPTIVE OR FRAUDULENT STATEMENTS ON THIS APPLICATION CONSTITUTES FRAUD. FURTHERMORE, YOU ARE HEREWITH NOTIFIED THAT THE AVE MARIA STEWARDSHIP COMMUNITY DISTRICT CONSIDERS SUCH ACTION ON THE PART OF THE APPLICANT TO CONSTITUTE GOOD CAUSE FOR DENIAL, SUSPENSION, OR REVOCATION OF THE PROSPECTIVE BIDDER'S QUALIFICATION FOR BIDDING ON ITS PROJECTS.**

Please be advised that this application must be complete within itself without reference to any other application or statement. All sections of the application shall be completed. If any of the requested information does not apply, it shall be indicated as "None" or "N.A." as applicable. Failure to make entries in every section of this application may result in a disqualification.

All financial information provided in this application and accompanying audited financial statements are exempt from public record laws pursuant to Section 119.071(1)(c), Florida Statutes, and will be kept confidential. District can request annual audits and annual resubmittal of any or all financial statements from any prequalified contractor.

The properly completed Contractor's Prequalification Statement shall be submitted to Agnoli Barber & Brundage, Inc., 7400 Trail Boulevard, Suite 200, Naples, Florida 34108, Any questions with regard to the requests for information contained herein shall be addressed to Mr. Ted Tryka, District Engineer, Agnoli Barber & Brundage, Inc., 7400 Trail Boulevard, Suite 200, Naples, Florida 34108, or via email to [tryka@abbinc.com](mailto:tryka@abbinc.com).

**Ave Maria Stewardship Community District  
Minimum Contractor Qualifications  
For Public Infrastructure Improvements**

Contractor: \_\_\_\_\_ Contact: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

**Typical Work Description:** Construction of Public Infrastructure Improvements may include earthwork, paving, drainage, irrigation, landscaping, hardscaping, roadway improvements and all work associated with these types of activities; maintenance services include exotic vegetation removal and lake and littoral maintenance. With the exception of landscaping, construction projects may include maintenance of existing infrastructure.

**Owner:** Ave Maria Stewardship Community District

**Certification:** I acknowledge that the Ave Maria Stewardship Community District has the right to deny, suspend or revoke a prospective bidder's qualification for bidding on the Public Infrastructure Construction and Maintenance Services based upon the Determination of Qualified Prospective Bidder information contained herein.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_                      \_\_\_\_\_  
Title                                      Date



6. Is the applicant Company incorporated in the State of Florida? yes ( ) no ( )
- 6.1 If yes, provide the following:
- o Is the Company in good standing with the Florida Department of State Division of Corporations? yes ( ) no ( )  
If no, please explain \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - o Date incorporated \_\_\_\_\_ Charter No. \_\_\_\_\_
- 6.2 If no, provide the following:
- o The State with whom the applicant company is incorporated in? \_\_\_\_\_
  - o Is the company in good standing with the State? yes ( ) no ( )  
In no, please explain \_\_\_\_\_  
\_\_\_\_\_
  - o Date incorporated \_\_\_\_\_ Charter No. \_\_\_\_\_
  - o Is the applicant company authorized to do business in the State of Florida? yes ( ) no ( )
7. Is the applicant company a registered or licensed contractor with the State of Florida? yes ( ) no ( )  
Provide copies of all licenses listed.
- 7.1 If yes, provide the following:
- o Type of registration (i.e. certified general contractor, certified electrical contractor, etc.) \_\_\_\_\_  
\_\_\_\_\_.
  - o License No. \_\_\_\_\_ Expiration Date \_\_\_\_\_
  - o Qualifying individual \_\_\_\_\_ Title \_\_\_\_\_
  - o List company(s) currently qualified under this license \_\_\_\_\_  
\_\_\_\_\_
- 7.2 Is the applicant Company a registered or licensed Contractor with Collier County? yes ( ) no( )
- 7.3 Has the applicant Company performed work for an independent special district previously? yes ( ) no ( )

8. Is the applicant company prequalified by the Florida Department of Transportation? yes ( ) no ( )

If yes, provide the following:

o Work Class Ratings \_\_\_\_\_  
\_\_\_\_\_

o Maximum Capacity Rating \_\_\_\_\_

9. Name of Applicant's Bonding Company \_\_\_\_\_

Address \_\_\_\_\_

Approved Bonding Capacities: Aggregate Limit \$ \_\_\_\_\_  
Single Project Limit \$ \_\_\_\_\_  
Total Current Contracts Bonded \$ \_\_\_\_\_

Note: All bonds and insurance policies obtained by Applicant required herein shall be issued by companies authorized to do business in the State of Florida and shall have a financial strength rating of A or better, and a financial size category of X or higher, as rated by A.M. Best Company.

Name of Applicant's Bonding Agency \_\_\_\_\_

Address \_\_\_\_\_

Contact Name \_\_\_\_\_ Phone \_\_\_\_\_

10. List the Applicant's total annual dollar value of work completed for each of the last three (3) years starting with the latest year and ending with the most current year (2020) \_\_\_\_\_ (2021) \_\_\_\_\_, (2022) \_\_\_\_\_

11. List the classification(s) (refer to attached listing) of work the applicant is applying for prequalification based on the applicant company's ability to self perform the work (excluding general contracting).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. What are the applicant company's current insurance limits? If contractor does not have a certain category of coverage listed below, please note none. (provide a copy of applicant's certificate of insurance)

General Liability \$ \_\_\_\_\_

Automobile Liability \$ \_\_\_\_\_

Workers Compensation \$ \_\_\_\_\_

Contractor's Pollution Liability \$ \_\_\_\_\_

Umbrella Liability/Excess Liability \$ \_\_\_\_\_

Contractors Additional Insured Status

- General Liability \_\_\_\_\_

- Auto Liability \_\_\_\_\_

Per Project Aggregate Limit

- General Liability \_\_\_\_\_

Waiver of Subrogation in favor of District

- General Liability \_\_\_\_\_

- Auto Liability \_\_\_\_\_

- Workers' Compensation \_\_\_\_\_

Expiration Date \_\_\_\_\_



Note: Applicant must provide a certification that their insurance carrier is authorized to conduct business in Florida. Coverage must be provided on a primary, non-contributory basis.

13. Has the applicant company been cited by OSHA for any job site or company office/shop safety violations in the past two years? yes ( ) no ( )

If yes, please describe each violation, fine, and resolution \_\_\_\_\_

\_\_\_\_\_

- 13.1 What is the applicant's current worker compensation rating? \_\_\_\_\_



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17. Has any officer or partner of your organization ever been an officer, partner, or owner of some other organization that has failed to complete a construction or maintenance contract? Yes \_\_\_\_\_ No \_\_\_\_\_ If so, state name of individual, other organization and reason therefore.

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18. List any and all litigation with owners or major subcontractors to which the Applicant has been a party in the last five (5) years and describe the outcome or resolution.

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19. Has the Applicant or any of its affiliates ever been either disqualified or denied prequalification status by a governmental entity? \_\_\_\_\_ If so, discuss the circumstances surrounding such denial or disqualification as well as the date thereof.

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20. Within the past five (5) years, has the Applicant failed to complete a project within the scheduled contract time? \_\_\_\_\_ If so, discuss the circumstances surrounding such failure to complete a project on time as well as the date thereof.

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21. Does the Applicant have adequate equipment to perform normal construction or maintenance operations for each class of work for which prequalification is sought? Yes \_\_\_\_\_ No \_\_\_\_\_ If no, please explain:

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**INCLUDE THE FOLLOWING INFORMATION WITH THIS APPLICATION:**

1. Applicants shall provide letters of recommendation from at least two agencies or firms with direct knowledge of the applicant's key personnel and work performance in sufficient detail to assist in rating the applicant's ability to perform the classification of work for which the applicant is applying for prequalification. The letters must contain specific information regarding the following:
  - (a) Specific projects, including project numbers and location.
  - (b) Size of projects by dollar value.
  - (c) Description of projects and classes of work performed with applicant's own employees and equipment.
  - (d) Whether projects were timely completed.
  - (e) Whether the applicant was cooperative and facilitated changes to the project when required.

(Continued)

Any contractor submitting a Contractor's Prequalification Statement, which in its judgment is adversely affected by the District's rating as to the contractor's qualifications and wishes to protest such decision must file with the District a notice of protest in writing within seventy-two (72) hours (excluding Saturdays, Sundays and state holidays) after receipt of the notice of the District's ranking, and shall file a formal written protest within seven (7) days (including Saturdays, Sundays and state holidays) after the date of filing of the notice of protest. The formal written protest shall state with particularity facts and law upon which the protest is based. **Failure to timely file a notice of protest or failure to timely file a formal written protest shall constitute a waiver of all further proceedings under Florida law and the District's Rules of Procedure.** You may obtain a copy of the District's Rules of Procedure by contacting the District Manager's Office at 2501A Burns Road, Palm Beach Gardens, Florida 33410 .

The undersigned hereby authorize(s) and request(s) any person, firm or corporation to furnish any pertinent information requested by the Ave Maria Stewardship Community District, or their authorized agents, deemed necessary to verify the statements made in this application or attachments hereto, or necessary to determine whether the Ave Maria Stewardship Community District should prequalify the applicant for bidding on its construction or maintenance projects, including such matters as the applicant's ability, standing, integrity, quality of performance, efficiency and general reputation

The Ave Maria Stewardship Community District can terminate its use of the prequalification list for bidding purposes at any time.

\_\_\_\_\_  
Name of Applicant Company

By: \_\_\_\_\_

\_\_\_\_\_  
[Type Name and Title of Person Signing]

This \_\_\_\_\_ day of \_\_\_\_\_, 2023

(Corporate Seal)

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Notary Public/Expiration Date  
(Seal)

Applicant acknowledges receipt of the following addenda:

Addendum No. \_\_\_\_\_

Date \_\_\_\_\_

Addendum No. \_\_\_\_\_

Date \_\_\_\_\_

**AFFIDAVIT FOR INDIVIDUAL**

State of \_\_\_\_\_ ss:

County of \_\_\_\_\_

\_\_\_\_\_, being duly sworn, deposes and says that the statements and answers to the questions concerning experience contained herein are correct and true as of this date; and that he/she understands that intentional inclusion of false, deceptive or fraudulent statements on this application constitutes fraud; and, that the District considers such action on the part of the applicant to constitute good cause for denial, suspension or revocation of a certificate of qualification for bidding on Ave Maria Stewardship Community District projects.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Notary Public/Expiration Date:

(SEAL)

**AFFIDAVIT FOR PARTNERSHIP**

State of \_\_\_\_\_ ss:

County of \_\_\_\_\_

\_\_\_\_\_, is a member of the firm of \_\_\_\_\_, being duly sworn, deposes and says that the statements and answers to the questions of the foregoing experience questionnaire are correct and true as of the date of this affidavit; and, that he/she understands that intentional inclusion of false, deceptive or fraudulent statements on this application constitutes fraud; and, that the District considers such action on the part of the applicant to constitute good cause for denial, suspension or revocation of a certificate of qualification for bidding on Ave Maria Stewardship Community District projects.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Notary Public/Expiration Date:

(SEAL)

**AFFIDAVIT FOR CORPORATION**

State of \_\_\_\_\_ ss:

County of \_\_\_\_\_

\_\_\_\_\_  
(title) \_\_\_\_\_  
of the \_\_\_\_\_

(a corporation described herein) being duly sworn, deposes and says that the statements and answers to the questions in the foregoing concerning experience are correct and true as of the date of this affidavit; and, that he/she understands that intentional inclusion of false, deceptive or fraudulent statements in this application constitutes fraud; and, that the District considers such action on the part of the applicant to constitute good cause for denial, suspension or revocation of a certificate of qualification for bidding on Ave Maria Stewardship Community District projects.

\_\_\_\_\_  
(Officer must sign here)

\_\_\_\_\_  
Print Name

CORPORATE SEAL

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Notary Public/Expiration Date:

(SEAL)



SWORN STATEMENT UNDER SECTION 287.133(3)(a),  
FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICER AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted to Ave Maria Stewardship Community District for Prequalification of Construction and/or Maintenance Contractors.
2. This sworn statement is submitted by \_\_\_\_\_  
[Print Name of Entity Submitting Sworn Statement]  
whose business address is \_\_\_\_\_  
and (if applicable) its Federal Employer Identification Number (FEIN) is \_\_\_\_\_  
(If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement: \_\_\_\_\_.)
3. My name is \_\_\_\_\_ and my relationship to the  
entity named above is \_\_\_\_\_.
4. I understand that a "public entity crime" as defined in Section 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.
5. I understand that "convicted" or "conviction" as defined in Section 287.133(1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.
6. I understand that an "affiliate" as defined in Section 287.133(1)(a), Florida Statutes, means:
  1. A predecessor or successor of a person convicted of a public entity crime; or,
  2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.
7. I understand that a "person" as defined in Section 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

8. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (Please indicate which statement applies.)

\_\_\_\_\_ Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor any affiliate of the entity, have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

\_\_\_\_\_ The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members or agents who are active in management of the entity or an affiliate of the entity, has been charged with and convicted of a public entity crime subsequent to July 1, 1989, AND (please indicate which additional statement applies):

\_\_\_\_\_ There has been a proceeding concerning the conviction before an Administrative Law Judge of the State of Florida, Division of Administrative Hearings. The final order entered by the Administrative Law Judge did not place the person or affiliate on the convicted vendor list. (Please attach a copy of the final order.)

\_\_\_\_\_ The person or affiliate was placed on the convicted vendor list. There has been a subsequent proceeding before an Administrative Law Judge of the State of Florida, Division of Administrative Hearings. The final order entered by the Administrative Law Judge determined that it was in the public interest to remove the person or affiliate from the convicted vendor list. (Please attach a copy of the final order.)

\_\_\_\_\_ The person or affiliate has not been placed on the convicted vendor list. (Please describe any action taken by or pending with the Florida Department of Management Services.)

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Print Name  
Date: \_\_\_\_\_

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

PERSONALLY APPEARED BEFORE ME, the undersigned authority, \_\_\_\_\_

\_\_\_\_\_ who, after first being sworn by me, affixed his/her signature in the  
(name of individual signing)

space provided above on this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
NOTARY PUBLIC

My commission expires:

**AVE MARIA STEWARDSHIP COMMUNITY DISTRICT  
CONTRACTOR CLASSIFICATION LISTING**

- |                         |                                  |
|-------------------------|----------------------------------|
| 1. Excavation/Earthwork | 7. Stormwater Management         |
| 2. Road Paving          | 8. Exotic Vegetation Removal     |
| 3. Landscape            | 9. Lake and Littoral Maintenance |
| 4. Irrigation           |                                  |
| 5. Hardscape            |                                  |
| 6. Street Lighting      |                                  |

## **DETERMINATION OF QUALIFIED PROSPECTIVE BIDDER**

The Ave Maria Stewardship Community District ("District") is authorized to maintain a list of qualified contractors ("Qualified Prospective Contractors") to submit bids for the procurement of District construction and maintenance projects. Any Qualified Prospective Contractor desiring to submit a bid to provide work for the District must submit a properly completed Contractor's Prequalification Statement to the District Engineer for review and evaluation. **Submittal of the Contractor's Prequalification Statement shall occur prior to the bidding process.**

The District shall evaluate the Contractor's Prequalification Statement and based on the District's judgment of the information provided, shall issue in writing to the contractor, the District's rating as to the classification(s) of the Work and the maximum Bid dollar amount for which the Qualified Prospective Contractor can submit a Bid to the District.

A Qualified Prospective Contractor shall mean a prospective contractor which in the sole judgment of the District has the capability, in all respects, to perform fully the contract requirements, and the business integrity and reliability which will assure good faith performance. In determining the Qualified Prospective Contractor's qualifications, the following criteria will be considered:

- The ability, capacity, and skill of the contractor to perform the contract or provide the work required;
- Whether the contractor can perform the contract or provide the work promptly, or within the time specified, without delay or interference;
- The character, integrity, reputation, judgment, experience, and efficiency of the contractor;
- The quality of performance of previous contract or work. For example, the following information will be considered:
  - o The cost overrun incurred by owners on previous contracts with contractor;
  - o The contractor's compliance record with contract general conditions on other projects;
  - o The contractor's record for completion of the work within the Contract Time or within Contract Milestones and contractor's compliance with scheduling and coordination requirements on other projects;
  - o The quality, availability, and adaptability of the goods or work to the particular use required;
  - o The contractor's demonstrated cooperation with owners, architects, engineers, and others on previous contracts; and;
  - o Whether the work performed and materials furnished on other contracts were in accordance with the contract documents; and
  - o Whether contractor has performed previous work for an independent special district.
- The previous and existing compliance by the contractor with laws and ordinances relating to contracts or work;
- The sufficiency of the financial resources and ability of the contractor to perform the contract or provide the work;
- The ability of the contractor to fulfill its guarantee and warranty period;
- Such other information as may be secured by the Board having a bearing on the decision to award a contract to include, but not be limited to:
  - o The ability, experience, and commitment of the contractor to properly and reasonably plan, schedule, coordinate, and execute the work; and,

- o Whether the contractor has ever been debarred from bidding or found ineligible for bidding on any other projects.
- The District will make such inquiries and investigations as deemed necessary to verify and evaluate the applicant's statements regarding:
  - o The necessary organization and management including experience possessed by the applicant's employees;
  - o Adequate equipment, as shown on the equipment list, to perform normal operations for each class of work in the industry such as that called for in the contract documents in force at the time of application;

If herein required, or if requested by the District at any time after the conclusion of the initial pre-qualification process, the Qualified Prospective Contractor shall submit a certified financial statement(s) in a form acceptable to the District, prepared no later than the past 180 days, indicating current financial resources, current bonding capacity, liabilities, capital equipment, and past financial history performance. Based on this updated financial information, the District, in its sole discretion, may adjust the Qualified Prospective Contractor's Prequalification contract limits or deem the Qualified Prospective Contractor no longer qualified with respect to future District Public Infrastructure projects. In this instance, the Qualified Prospective Contractor acknowledges the right of the District to refuse acceptance of a bid from any Qualified Prospective Contractor who fails to submit to the District documentation that may be required by the District. In such a case, such bid shall be rejected as non-responsive.

Furthermore, a Qualified Prospective Contractor acknowledges the right of the District to determine a Qualified Prospective Contractor to be not qualified to submit a Bid in response to the District's Advertisement for Bids at the sole determination of the District for, but not necessarily limited to, any of the following specific reasons:

- Failure to submit a properly completed Contractor's Prequalification Statement in accordance with the above requirements;
- Failure of the Qualified Prospective Contractor's rating by the District as to classification of the Work and the maximum Bid dollar amount to meet the requirements of the Bid;
- Reason to believe that collusion exists among Bidders;
- Determination of lack of competency as may be revealed fby qualification statements, financial statements, experience records, or other sources;
- The Qualified Prospective Contractor's uncompleted work load which, in the judgment of the Board, may cause detrimental impact on timely completion of the project being bid; or
- The Qualified Prospective Contractor's Surety is unacceptable to District.
- Submission of excessive or unreasonable suggested modifications to the District's Standard Form of Construction or Maintenance Contract.

Any contractor submitting a Contractor's Prequalification Statement, which in its judgment is adversely affected by the District's rating as to the contractor's qualifications and wishes to protest such decision must file with the District a notice of protest in writing within seventy-two (72) hours (excluding Saturdays, Sundays and state holidays) after receipt of the notice of the District's ranking, and shall file a formal written protest within seven (7) days (including Saturdays, Sundays and state holidays) after the date of filing of the notice of protest. The formal written protest shall state with particularity facts and law upon which the protest is based. **Failure to timely file a notice of protest or failure to timely file a formal written protest shall constitute a waiver of all further proceedings under Florida law and the District's Rules of Procedure.** You may obtain a copy of the District's Rules of Procedure by contacting the District Manager's Office at 2501A Burns Road, Palm Beach Gardens, FL 33410.