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**REQUEST FOR PREQUALIFICATION  
 OF SUBCONTRACTORS FOR THE   
MARYVILLE HIGH SCHOOL EXPANSION PHASE I  
SITE DEVELOPMENT PACKAGE**

**MARYVILLE, TN**

**ACCEPTANCE DATE**: **November 2, 2023,** prior to 2:00 p.m. (Eastern Standard Time)

**RFP QUALIFICATIONS**: Request for Prequalification of Subcontractors for Phase I, Site Development Package(s)

**ACCEPTANCE PLACE**: Merit Construction, Inc.

10435 Dutchtown Road

Knoxville, TN 37932

or via email to pohara@meritconstruction.com

**PLEASE NOTE**:

Prequalification Applications may be downloaded from Merit Construction’s website at [www.meritconstruction.com](http://www.meritconstruction.com) under the Subs & Suppliers tab.

ALL HAND DELIVERED PREQUALIFICATION APPLICATIONS MUST BE SUBMITTED TO THIS LOCATION PRIOR TO 2:00 P.M. on the Acceptance Date of the PREQUALIFICATION APPLICATION in order to be considered. Prequalification applications will not be accepted at any other location.

Requests for information related to the Prequalification Form should be directed to:

Name: Patrick O’Hara

Vice President  
Merit Construction, Inc.

Email Address: pohara@meritconstruction.com

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**MARYVILLE, TN**

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SITE DEVELOPMENT**

**MARYVILLE, TN**

**1.0 PURPOSE**

The intent of this prequalification process is for Merit Construction, Inc. in conjunction with the City of Maryville Public Building Authority to identify the most qualified Contractors with successful experience in the construction of facilities similar to the Phase I Site Development Package(s). This Prequalification is for Site Package(s) only.

**2.0 COMPETITION INTENDED**

It is the intent of the City of Maryville’s Public Building Authority that this prequalification process permits a competitive bidding process for the Construction of the Maryville High School Expansion, Maryville TN. It shall be the Applicant’s responsibility to advise Merit Construction, Inc. of any questions relating to this solicitation for contractors in writing via email to pohara@meritconstruction.com.

**3.0 DESCRIPTION OF WORK**

The sitework phase will consist of excavation and grading, municipal sanitary sewer installation, site fire and waterline installation, storm sewer construction including box culverts and underground detention systems, retaining wall construction, foundation preparation, structural concrete, asphalt paving, concrete paving, parking lot and other site lighting installation, landscaping, and erosion control.

The proposer must have the appropriate license and endorsements as well as have completed a project of similar size and scope and be able to provide a bond from an “A” rated company for a single project limit in excess of **$10,000,000.00.**

**4.0 PREQUALIFICATION PROCESS**

4.1 General

A. The term Applicant shall be defined as an individual, partnership, or other legal entity which submits an application in response to this solicitation.

B. Only Applicants that have been pre-qualified in accordance with the procedures herein will be allowed to submit a bid for the Construction of the Phase I Site Development Package for the Maryville High School Expansion. Bids received from those who have not been pre-qualified will not be considered.

C. Applicants agree that once prequalified, all criteria and requirements contained herein shall be maintained by the Applicant throughout the life of the prequalification and the construction of the Phase I Site Development Package. Merit Construction, Inc. reserves the right to conduct an independent investigation of any information, including prior experience, identified in a Prequalification Application by contacting project references, accessing public information, contacting independent parties, or by any other means.

D. All materials submitted by Applicants shall become the property of Merit Construction, Inc. and will not be returned. By submitting an application, the Applicant agrees that the Merit Construction, Inc. may research and/or verify information provided and contact any applicable entities associated with such information.

E. Applicants shall submit qualification information in accordance with the requirements identified herein. Merit Construction, Inc. may, in its discretion, contact an Applicant during the evaluation process for clarification of any entries in the Application for Prequalification submitted by the Applicant and may request additional information. Such additional information must be submitted to Merit Construction Inc. no later than five (5) business days after the request. The decision to pre-qualify an Applicant shall not, however, constitute a determination that the Applicant is responsible, and such Applicant may be subsequently rejected as non-responsible on the basis of subsequently discovered information.

4.2 Evaluation Criteria

Merit Construction and the Maryville Public Building Authority can deny prequalification to applicants based on the following criteria.

A. The Applicant does not have sufficient financial ability to perform the project. Evidence that the Applicant can acquire a surety bond from a “A” rated corporation included on the United States Treasury list of acceptable surety corporations that is properly licensed in the State of Tennessee and Maryville, Tennessee in the amount and type required by the Merit Construction, Inc. shall be sufficient to establish the ﬁnancial ability of the Applicant to perform the contract resulting from such procurement.

B. The Applicant does not have the appropriate experience to construct or previously completed a project of similar scope and size with the City of Maryville or Merit Construction, Inc.

C. The Applicant or any officer, director, or owner thereof has had judgments entered against him/her within the past ten (10) years for the breach of contracts for governmental or non-governmental projects, including, but not limited to, design-build or construction management.

D. The Applicant has been in substantial non-compliance, as determined by the Merit Construction, Inc, or the Maryville Public Building Authority, with the terms and conditions of prior construction contracts without good cause. If Merit Construction, Inc., or the Maryville Public building Authority has not contracted with the Applicant in any prior construction contracts, the team may deny prequalification if the Applicant has been in substantial non-compliance with the terms and conditions of comparable construction contracts with another public body without good cause.

E. The Applicant, or any officer, director, owner, project manager, procurement manager, or chief financial official thereof has been convicted within the past ten (10) years of a crime related to governmental or non-governmental construction or contracting.

F. The Applicant or any officer, director, or owner thereof is currently debarred pursuant to an established debarment procedure from

bidding or contracting by any public body, agency of another state, or agency of the federal government.

G. The Applicant failed to provide Merit Construction Inc., within the established time frame, any information requested in this solicitation relevant to items A through F above.

H. Company has not been in business for a period of ten consecutive years and has never been a part of a reorganization through bankruptcy.

I. Applicant does not employee enough skilled craftsmen to mee the requirements to self-perform 80% of the work or does not own the appropriate equipment to perform the work.

J. Applicants backlog prevents him from performing the work in a timely manner.

4.3 Evaluation Process

4.3.1 Applications will be evaluated in accordance with the criteria listed herein. An unsatisfactory rating in any one category above may be considered sufficient cause to deny prequalification to an Applicant.

4.3.2 Upon the issuance of a written determination to deny prequalification, Merit Construction will notify the Applicant in writing of the results of the evaluation and disclose the basis thereof. Merit Construction, Inc. also reserves the right to request additional information, or request financial information, to evaluate financial capability.

**5.0 CONTENTS OF THE PREQUALIFICATION APPLICATION**

This Section describes specific information that must be included in the Prequalification Application.

Applicants shall provide each of the following items below in the order presented. Failure to include any of the requested information may cause the Prequalification Application to be considered non-responsive and rejected.

Completion of Application for Prequalification provided by Merit Construction, Inc. post on Merit’s website along with these instructions.

A. Detailed description of the Applicant’s three (3) most similar projects as compared to the size and scope of the project planned by the Maryville City Schools and described in this Request for Prequalification, for which the Applicant has completed.

Each project description shall include as a minimum:

1. Name and location of project.
2. Project description of sufficient detail to allow determination of project size and scope to include structural elements involved in the project.
3. Identify and describe similar characteristics to the Maryville High School project.

4. Initial and final construction contract costs.

1. Name of the project manager and Superintendent who had direct responsibility for the project.
2. Names, addresses, current phone numbers, and e-mail addresses of architects and owners. Applicant hereby releases listed references from all claims and liability for damages that may result from the information provided by the reference.

B. Applicants must demonstrate experience in completion of projects of similar size and scope and be able to complete **80%** of work with in house labor forces and company owned equipment.

Request for Prequalification. Projects may be the same or different projects than the projects identified in Paragraph A, above. Applicants shall be provided with a detailed project description and shall be provided to show all key aspects of the work.

C. Merit Construction, Inc. and the Maryville Public Building Authority want to ensure that prequalified General Contractors have a corporate culture with a strong emphasis on Quality Control. The County requests that all Applicants provide their written Corporate Quality Control Program.

D. Project Manager. The Project Manager must have a minimum of ten (10) years’ experience as a Project Manager and have worked on similar size and/or types of facilities. The Project Manager must be a direct employee of the Contractor and cannot be designated as an officer of the Company.

E. Superintendent. The Superintendent must have a minimum of ten (10) years’ experience as a Superintendent and have worked on similar size and/or types of facilities. The Superintendent must have at a minimum an Occupational Safety and Health Administration (OSHA) “30-hour certification”.

F Quality Control Manager. The Quality Control Manager (QCM) must have a minimum of five (5) years’ experience in a similar role and have worked on similar sizes and/or types of facilities.

**6.0 INSTRUCTIONS FOR SUBMITTING PREQUALIFICATION APPLICATION**

6.1 Preparation and Submission of Applications

A. Before submitting your Prequalification Application, read the ENTIRE solicitation. Failure to read any part of this solicitation will not relieve an Applicant of the Contractual obligations.

B. All Prequalification Applications must be submitted to Merit Construction Inc. via mail or by email to pohara@meritconstruction.com.

C. All Prequalification Applications shall be signed in ink by the individual or authorized principals of the firm.

D. All attachments to the Prequalification Application requiring execution by the Applicant are to be returned with the Prequalification Application.

E. Prequalification Applications must be received by Merit Construction, Inc prior to 2:00 p.m., eastern standard time on date identified on the cover of the solicitation

F. The Prequalification Applications may be submitted via one of the following options:

US Mail / FedEx / UPS or email to:

Merit Construction, Inc.

Attn: Patrick O’Hara

10435 Dutchtown Road

Knoxville, TN 37932

Emailed prequalification applications can be sent to

[pohara@meritconstruction.com](mailto:pohara@meritconstruction.com).

*Please note*: Applicants choosing to submit applications via US Mail should allow at least an additional twenty-four (24) hours in the delivery process for internal County mailroom distribution.

**HAND DELIVERED PREQUALIFICATION APPLICATIONS MUST BE SUBMITTED AT THIS LOCATION PRIOR TO 2:00 P.M. on the Acceptance Date of the prequalification application in order to be considered. Prequalification applications will not be accepted at any other building locations or after 2:00 P.M.**

G. Each Applicant shall submit **one (1) original hard copy or submit one (1) electronic copy** of their application to the Merit Construction, Inc as indicated on the cover sheet of this RFQ.

6.2 Questions and Inquiries

Only written (email) questions and inquiries will be accepted from any and all Applicants.

It is the responsibility of all Applicants to ensure that they have received all addenda and to include signed copies with their application. Addenda can be downloaded from [www.meritconstruction.com](http://www.meritconstruction.com).

6.3 Authority to Bind Firm in Contract

Prequalification Applications MUST give the full firm name and address of the Applicant. Failure to manually sign the application may disqualify it. Person signing application will show TITLE or AUTHORITY TO BIND THE FIRM IN A CONTRACT. Firm name and authorized signature must appear on application in the space provided on the application form.  
  
Those authorized to sign are as follows:

If a sole proprietorship, the owner may sign.

If a general partnership, any general partner may sign.  
If a limited partnership, a general partner must sign.

If a limited liability company, a “member” may sign, or “manager” must sign if so, specified by the articles or organization.

If a regular corporation, the CEO, President, or Vice-President must sign.  
  
Others may be granted authority to sign by the County requires that a corporate document authorizing him/her to sign shall be submitted with the application.

6.4 Withdrawal of Prequalification Application

A. All Prequalification Applications submitted shall be valid through the completion of the construction contract.

B. Prequalification Applications may be withdrawn on written request from the Applicant at the address shown in the solicitation prior to the time of acceptance.

C. Negligence on the part of the Applicant in preparing the Prequalification Application confers no right of withdrawal after the time fixed for the acceptance of the applications.

6.5 Late Prequalification Applications

Late Prequalification Applications will be returned to the Applicant.

6.6 Miscellaneous Requirements

1. All Prequalification Applications shall provide a straight-forward, concise delineation of the Applicant’s capabilities to satisfy the requirements of this request. Emphasis should be on completeness and clarity of content.

B. Selected contents of the Prequalification Applications submitted by the successful Applicant and this RFQ will become part of any construction.

1. Merit Construction, Inc. and the Maryville Public Building Authority reserve

the right to reject any and all Prequalification.

**7.0 TERMS AND CONDITIONS**

7.1 Additional Qualifications

Merit Construction, Inc. reserves the right to impose additional Minimum Qualifications above and beyond those requirements contained herein on the Invitation for prequalification of the Phase I Site Development Package.

**The Prequalification Documents will contain minimum qualification requirements for the Superintendent, the Project Manager and the Quality Control Manager that will be assigned to the project and for the installers.**

7.2 Licensure

To the extent required by the State of Tennessee and the City of Maryville, TN, the Applicant shall be duly licensed to perform the services required to be delivered pursuant to this Contract.

7.3 Authority to Transact Business in Tennessee

An Applicant organized as a stock or nonstock corporation, limited liability company, business trust, or limited partnership or registered as a registered limited liability partnership shall be authorized to transact business in the State of Tennessee as a domestic business or as otherwise required by law. Any business entity described herein that enters into a Contract with the Merit Construction, Inc.

7.4 Compliance with the Law in Tennessee

Failure to comply with the law with regard to those legal requirements in Tennessee (whether federal or state) regarding your ability to lawfully offer and perform any services proposed or related to the Project may render your Prequalification Application, in the sole and reasonable discretion of the Merit Construction, Inc. in association with the Public Building Authority of Maryville, non-responsive and/or non-responsible, and in that event your Prequalification Application may be returned without any consideration or evaluation for selection of contract award.

All Applicants must at the time of their Prequalification Application submittal comply with the law and nothing herein is intended to contradict, nor supersede, any applicable State and Federal laws and regulations. All Applicants shall be eligible at the time of their Prequalification Application, under the law and relevant regulations, to offer and to provide all services proposed and related to the Project by its terms and by the laws of the state of Tennessee.

**8.0 PREQUALIFICATION SUBMISSION FORMS**

**PREQUALIFICATION FOR THE  
 PHASE I SITE DEVELOPMENT PACAKGE  
 OF THE OF MARYVILLE HIGH SCHOOL EXPANSION**

THE FIRM OF:

Address:

FEIN:

I understand that the omission of any items listed below from the attached prequalification application may be cause for rejection of the application as non-responsive. I have ensured that I have received and acknowledged any and all Addenda.

Person to contact regarding this application:

Title: Phone: Fax:

E-mail:

Name of person authorized to bind the Firm (6.3):

Signature: Date:

*By signing and submitting an application, your firm acknowledges and agrees that it has read and understands the RFQ documents and that your Firm is correct and true.*