



## **Business Outreach & Program Services**

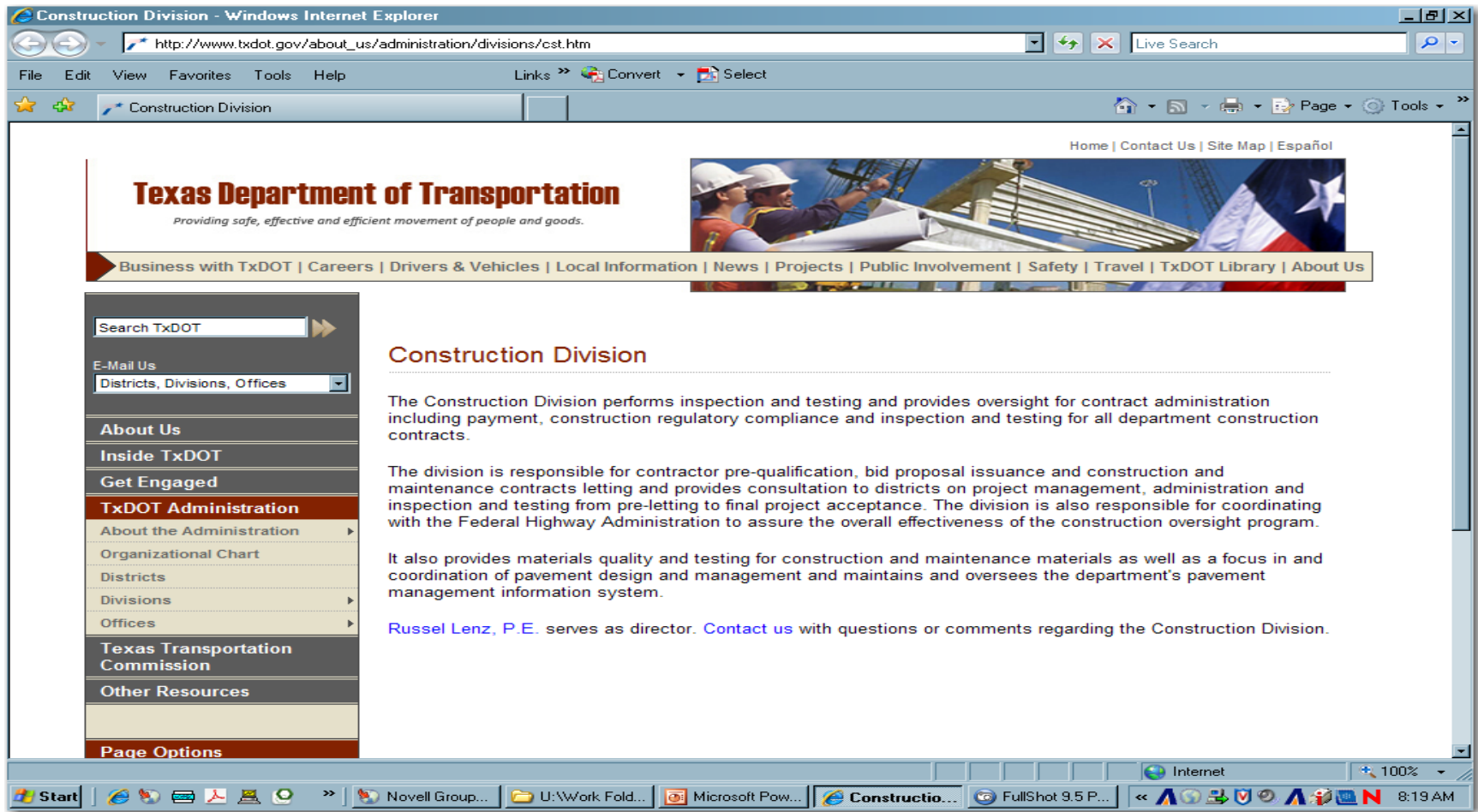
**How To Become A Pre-Qualified Bidder**



# Objectives

- Introduce and provide an overview of TxDOT's Bidder's Questionnaire
- Provide instructions on how to become a qualified bidder and/or increase bid capacity
- Give information to TBOD participants regarding next steps to becoming prequalified

# Where Do I Find Information On How To Become A Pre- Qualified Bidder?



The screenshot shows a Windows Internet Explorer browser window displaying the Texas Department of Transportation website. The address bar shows the URL: [http://www.txdot.gov/about\\_us/administration/divisions/cst.htm](http://www.txdot.gov/about_us/administration/divisions/cst.htm). The page title is "Construction Division".

**Texas Department of Transportation**  
*Providing safe, effective and efficient movement of people and goods.*

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**Construction Division**

The Construction Division performs inspection and testing and provides oversight for contract administration including payment, construction regulatory compliance and inspection and testing for all department construction contracts.

The division is responsible for contractor pre-qualification, bid proposal issuance and construction and maintenance contracts letting and provides consultation to districts on project management, administration and inspection and testing from pre-letting to final project acceptance. The division is also responsible for coordinating with the Federal Highway Administration to assure the overall effectiveness of the construction oversight program.

It also provides materials quality and testing for construction and maintenance materials as well as a focus in and coordination of pavement design and management and maintains and oversees the department's pavement management information system.

[Russel Lenz, P.E.](#) serves as director. [Contact us](#) with questions or comments regarding the Construction Division.

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# What Forms Should I Complete?

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## Prequalification

Form Number	Title	Format	
		PDF	Other
	Accounting Procedures in Determination of Contractor's Financial Resources – Bulletin No. 2		
2065	Confidential Questionnaire		
2066	Bidder's Questionnaire		
2196	Digital Certificate Request Form		
2197	Digital Certificate Change Form		
2198	Digital Certificate Revocation Form		

# Bidder's Questionnaire

Form 2066  
(GSD-EPC)

**BIDDER'S QUESTIONNAIRE**  
A New Questionnaire Must Be Filed Each Year  
A Separate Questionnaire Must Be Completed By Each Business Entity



- Required by TxDOT for maintenance and smaller construction projects.
- First step in the process. Is the simplest type of qualification.
- No financial statement is required if work at any given time is expected to stay below \$300,000.
- Bid capacity is based on past performance, equipment availability, expertise & financial capability
- Must be on file 10 days prior to the bid opening date.
- Range is from \$300,000.00 to \$3,000,000.00 and is for one year.

# Pre-Qualification Questionnaire

**Texas Department of Transportation**

**CONFIDENTIAL QUESTIONNAIRE**

Date of Balance Sheet \_\_\_\_\_

Name under which you wish to qualify \_\_\_\_\_

Mark only one:

- Individual
- Limited Partnership
- General Partnership
- Corporation
- Limited Liability Company

Post Office Box \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Street Address (required) \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_ Email Address \_\_\_\_\_

Area Code \_\_\_\_\_ Number \_\_\_\_\_ Area Code \_\_\_\_\_ Number \_\_\_\_\_

Display fax # on TxDOT website  Display e-mail address on TxDOT website

- Used to bid on all types of projects.
- Allows contractors to bid up to the capacity of their financial resources.
- Requires copies of organizational documents & resume of company's experience.
- Use in conjunction with Bulletin No. 2
- Requires a full audited financial statements by a CPA

# What Are The Differences With Completing The Two?

## Bidders Questionnaire

- Bid only on projects designated as “waived.”
- May be submitted with or without financial statements
- Bidding capacity is tiered according to instructions
- Minimum requirement to perform emergency projects
- Substantially shorter in length than Confidential Questionnaire
- Required for maintenance work as a prime contractor

## Confidential Questionnaire

- Can bid on all classes of work
- Required to accompany audited financial statements
- Bidding capacity set at 20 times net working capital
- Requires more detail on finances, equipment and experience
- Typically required for construction work as a prime contractor

# What Business Info Will I Need to Become A Bidder

- Completed Bidder's Questionnaire or Confidential Questionnaire (**Notarized**)
- Proof of legal business organization
- Classified Balance Sheet (**for over \$500,000.00**)
- Resumes of Principal Owners
- Detailed Equipment List
- Business References

# **BIDDER'S QUESTIONNAIRE**

**A New Questionnaire Must Be Filed Each Year  
A Separate Questionnaire Must Be Completed By Each Business Entity**



***Texas  
Department  
of Transportation***

**This questionnaire must be on file with this department at least 10 days before the date bids are to be opened.**

Eligibility to bid and bidding capacity of a firm are determined by past performance on projects, experience, expertise, financial condition, and equipment availability. In order to bid a project, a firm must have an available bidding capacity equal to or greater than the estimated cost of the project. **A balance sheet to be used for increasing bidding capacity must be prepared by an independent certified public accountant and be less than 12 months old at the date of submission of the Bidder's Questionnaire.** In addition, the Bidder's Questionnaire must be approved for at least one letting prior to its anniversary date. A firm providing financial information for increased bidding capacity may receive one of four levels of bidding capacity. Bidding capacity is the maximum dollar amount of a bidding proposal you may request and receive. This capacity is effective for 12 months from either the date of balance sheet if provided, or the date the Bidder's Questionnaire was received, if no balance sheet is provided. The engineer's estimate and available bidding capacity are the bases for issuing proposals. Available bidding capacity is the bidding capacity less any uncompleted awarded work with the department. Contractors submitting a balance sheet for obtaining increased bidding capacity must also submit a new Bidder's Questionnaire if the date of the balance sheet is after the date of the last Bidder's Questionnaire (e.g., questionnaire dated 1/31/09, new balance sheet dated 2/29/09).

The available levels of bidding capacity are as follows:

- INITIAL** → 1. **Bidding capacity of \$300,000.00** - This level is issued to firms whose principals have no prior experience and to firms not providing an acceptable balance sheet with their questionnaire. **The firm must provide evidence acceptable to the department showing that it is a viable business.**
- INCREASE** → 2. **Bidding capacity of \$500,000.00** - Along with this questionnaire, a **classified balance sheet** should be submitted which has been compiled and signed by an independent certified public accountant, prepared as of the last day of a recent month, reflecting current assets in excess of current liabilities (**positive net working capital**). The principals of this firm must have a total of at least one year of experience in construction and/or maintenance, having satisfactorily completed at least two projects in these fields. This list of projects should be furnished on page 10 of the questionnaire.
- INCREASE** → 3. **Bidding capacity of \$1,000,000.00** - Along with this questionnaire, a classified balance sheet should be submitted which has been compiled and signed by an independent certified public accountant, prepared as of the last day of a recent month, reflecting current assets in excess of current liabilities (**positive net working capital**). The **principals of this firm must have a total of at least two years of experience in construction and/or maintenance**, having satisfactorily **completed four projects in these fields**. This list of projects should be furnished on page 10 of the questionnaire.

### Complete This Page in Detail

1. \_\_\_\_\_  
Legal name under which you wish to bid

2.  Individual  Registered Limited Liability Partnership  Corporation ← **PROOF**  
 General Partnership  Limited Partnership  S Corporation  
 Limited Liability Company (LLC)

3. \_\_\_\_\_  
Post Office Box                      City                      State      Zip Code      Area Code      Telephone Number

\_\_\_\_\_ Street Address (required)                      City                      State                      Zip Code  
(                      )

\_\_\_\_\_ E-mail address                      Fax Number  
 Display e-mail address on TxDOT website                       Display fax number on TxDOT website

4. The department will presume, unless otherwise advised, that the general partners of a partnership or officers of a corporation listed above are authorized to enter into contract in behalf of their firm. If they desire that additional persons be authorized to execute instruments on behalf of the firm, please furnish a Power of Attorney or Corporate Resolution which contains this authority.

5. If the contractor chooses to qualify under an assumed name, and is based in Texas, a certified copy of the Assumed Name Certificate as filed with the County Clerk in the county of residence must be provided with this questionnaire. Additionally, if the firm is a corporation, limited partnership, registered limited liability partnership, or a limited liability company (within or outside of Texas), it must also provide proof of filing this assumed name with the Texas Secretary of State. Firms residing outside of Texas using an assumed name must also file an Assumed Name Certificate in the county of their registered or principal office in Texas, and furnish this department a certified copy of this certificate. Excerpts from the Texas Assumed Business or Professional Name Certificate Act are shown on Page 4.

6. A Texas Attorney General's opinion permits a foreign corporation to become a qualified bidder with the department and be issued bidding documents prior to registering the corporation to do business in this state; however, the corporation must register to do business in Texas prior to the execution of a contract with the department. In this instance, the foreign corporation should ascertain the availability of its name in Texas and submit its Bidder's Questionnaire under that name. If the contractor has not yet registered the corporation, he/she must file a name registration with the Texas Secretary of State, and provide this department with evidence of such filing. This name registration must be renewed continually until the corporation becomes registered. In addition, it will be necessary that the department be furnished a copy of the corporation's Corporate Charter as filed in the state of incorporation in order that our records may be accurate.

7. Limited liability companies filing their initial Bidder's Questionnaire must furnish copies of their Articles of Organization or Certificate of Formation.

8. Provide your Texas Taxpayer I.D. No., if available, \_\_\_\_\_ ← **DONT FORGET**

9. If a corporation, please list the names and titles of all officers. If a limited liability company, list all managers of the LLC, if applicable.

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

10. Give names and addresses of all affiliated and/or subsidiary companies. (See definition on Page 3.)

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

11. Give the names of any affiliates or relatives currently debarred by the department. Please indicate your relationship to this person or firm.

\_\_\_\_\_

**SEPARATE ATTACHMENTS**



12. By **separate attachment**, please furnish a list of six larger items of **equipment** which you own or which are available by renting, along with the source.

13. By **separate attachment**, please furnish detailed **resumes** of construction or maintenance experience for the principals of your company. (Initial qualification only)

14. By **separate attachment**, please furnish the names, addresses and telephone numbers of three **business references**.

15. Have you been required to post a payment and performance bond in the last 12 months? \_\_\_\_\_

16. Give the name, detailed address, and the percentage owned of each individual or entity owning five percent or more of your business. Also, list Social Security number of each individual.

*Social Security\**

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

\* This data is gathered and maintained in order to assure contractors' eligibility of obtaining State contracts under the Texas Family Code 231.006(c), enforcing the collection of child support. Providing this data is mandatory for those individuals owning 25% or more of the business entity.

17. If any owner, officer, director, or stockholder of your firm is an employee of the Texas Department of Transportation (TxDOT), or shares the same household with a TxDOT employee, please list the name of the TxDOT employee and the relationship. In addition, list any TxDOT employee who is the spouse, child, or parent of an owner, officer, stockholder, or director who does not live in the same household but who receives care and assistance from that person as a direct result of a documented medical condition. This includes foster children or those related by adoption or marriage.

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

**INDICATE NOT APPLICABLE ON FORM WHERE APPROPRIATE**

FORM 0005

**Business Classification**

The following should be completed in order that we may properly classify your firm.

The department defines a small business as "... a legal entity, including a corporation, partnership, or sole proprietorship that is formed for the purpose of making a profit, is independently owned and operated, and has either fewer than 100 employees or less than \$1,000,000.00 in annual gross receipts."

(Check the block(s) which are applicable - Block 3 is to be left blank if Block 1 and/or Block 2 is checked.)

- has fewer than 100 employees  
and/or
- has less than \$1,000,000.00 in annual gross receipts  
or
- does not meet the criteria for being designated a small business as provided in Section 2006.001 of the Texas Government Code.

The classification of your firm as a small or large business is not a factor in determining eligibility to bid.

**Work Category Information**

**SELECT ITEMS OF WORK YOU  
HAVE EXPERIENCE AND  
EQUIPMENT**

In an effort to identify the type(s) of work you perform, please check one or more of the following to indicate the categories of work your firm is involved with.

- |  |   |
|--|---|
| <input type="checkbox"/> Asphalt (ACP, LRA, Seal Coats)        | <input type="checkbox"/> Rest Areas (Construction)    |
| <input type="checkbox"/> Concrete Paving & Incidentals         | <input type="checkbox"/> Traffic Control Devices      |
| <input type="checkbox"/> Earthwork, Base & Subbase             | <input type="checkbox"/> Other _____                  |
| <input type="checkbox"/> Emergency Contracts*                  | <input type="checkbox"/> Guardrail Repair             |
| Emergency Contact Individual*                                  | <input type="checkbox"/> Debris Clearing/Removal      |
| Name: _____  | <input type="checkbox"/> Mowing                       |
| Phone for 24-hour contact: _____                               | <input type="checkbox"/> Litter Pickup & Disposal     |
| Email: _____   | <input type="checkbox"/> Cleaning & Sweeping Highways |
| *All fields are mandatory to be considered for emergency work. | <input type="checkbox"/> Building Construction        |
| <input type="checkbox"/> Fencing                               | <input type="checkbox"/> Rest/Picnic Area Maintenance |
| <input type="checkbox"/> Hauling                               | <input type="checkbox"/> Hazardous Material           |
| <input type="checkbox"/> Lighting & Signal Maintenance         | <input type="checkbox"/> Underwater Inspection        |
| <input type="checkbox"/> Landscaping                           | <input type="checkbox"/> Stream Channel Restoration   |
| <input type="checkbox"/> Major Structures                      | <input type="checkbox"/> Pavement Markers             |
| <input type="checkbox"/> Material Supplier                     |   |
| <input type="checkbox"/> Minor Struct./Misc. Concrete          |   |
| <input type="checkbox"/> Painting & Striping                   |   |

\*NOTE: If indicating your availability for emergency contracts, please insure that the above contact information remains updated with this office at all times. In the event of an emergency, we may be inquiring about your availability as well as a list of equipment available for the emergency.

Check the Districts by city in which you are willing to work:

**District Offices**



**LIST DISTRICTS YOU ARE WILLING TO WORK**

- |  |   |                                    |
|--|---|------------------------------------|
| <input type="checkbox"/> All           | <input type="checkbox"/> Tyler          | <input type="checkbox"/> Atlanta   |
| <input type="checkbox"/> Paris         | <input type="checkbox"/> Lufkin         | <input type="checkbox"/> Beaumont  |
| <input type="checkbox"/> Fort Worth    | <input type="checkbox"/> Houston        | <input type="checkbox"/> Pharr     |
| <input type="checkbox"/> Wichita Falls | <input type="checkbox"/> Yoakum         | <input type="checkbox"/> Laredo    |
| <input type="checkbox"/> Amarillo      | <input type="checkbox"/> Austin         | <input type="checkbox"/> Brownwood |
| <input type="checkbox"/> Lubbock       | <input type="checkbox"/> San Antonio    | <input type="checkbox"/> El Paso   |
| <input type="checkbox"/> Odessa        | <input type="checkbox"/> Corpus Christi | <input type="checkbox"/> Childress |
| <input type="checkbox"/> San Angelo    | <input type="checkbox"/> Bryan          |                                    |
| <input type="checkbox"/> Abilene       | <input type="checkbox"/> Dallas         |                                    |
| <input type="checkbox"/> Waco          |   |                                    |

**Debarment, Voluntary Exclusion, or  
Determination of Ineligibility**

The U.S. Department of Transportation has adopted rules concerning nonprocurement debarment and suspension in accordance with the Office of Management and Budget (OMB) guidelines. Under these rules, the Federal Highway Administration will not be able to concur in the award of a contract for any federal aid project to any contractor that is currently suspended or debarred by any federal agency.

As a result of the above, the department has adopted rules concerning the issuance and submission of proposals that preclude issuing a bidding proposal for a federal aid project to a firm that is currently suspended or debarred by any agency of the federal government. To facilitate the department's compliance with this rule, it will be necessary for all qualified contractors to complete and file a Certification of Absence of Suspension, Debarment, Voluntary Exclusion, or Determination of Ineligibility with the Construction Division of this department. This certification is included on page 9 of this document. The certification will be incorporated in each bidder's respective file. To avoid delay in receiving bidding proposals for federal aid projects, bidders are encouraged to complete their certifications.

# COMPLETED PROJECT LIST

REQUIRED IF YOU WANT BID  
CAPACITY MORE THAN  
\$300,000.00

In order to be considered for a bidding capacity above \$300,000.00, this form must be completed and submitted along with a classified balance sheet prepared by a certified public accountant. See instructions, Items 2 through 5. Please note this form does not substitute for the requirement of resumes in your initial filing.

Completed Project for	TYPE OF WORK (Road Construction/ Maintenance etc...)	BEGINNING DATE (MONTH / YEAR)	ENDING DATE (MONTH / YEAR)
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			

Attach additional pages if needed. Additional pages must contain the headings shown above.

The bidder certifies that all taxes, licenses, permits, fees, etc., as required by city, county, state or federal law relating to his/ her business operations are current and unrestricted. In addition the undersigned authorizes the department to verify any and all information provided as determined necessary.

Further, under Section 231.006, Family Code, the vendor or applicant certifies that the individual or business entity named in this application is not ineligible to receive the specified grant, loan, or payment and acknowledges that any contract may be terminated and payment may be withheld if this certification is inaccurate.

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

\_\_\_\_\_  
Signature/Title

Before me, the undersigned authority, a Notary Public, on this day personally appeared \_\_\_\_\_

who, being by me duly sworn, upon oath says that he/she is qualified and authorized to make affidavit for and on

behalf of \_\_\_\_\_

bidder, of \_\_\_\_\_ County, and is fully cognizant of the facts herein set out

and affirms to the truth and accuracy of the certifications made herein by signing the document above.

Subscribed and sworn to before me by the said \_\_\_\_\_  
Name

this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, in and for \_\_\_\_\_  
hand and seal of office.

**DONT FORGET TO GET THIS  
NOTARIZED**



\_\_\_\_\_  
Notary Public in and for \_\_\_\_\_  
County

NOTE: The Notary Public must be an individual other than an officer, partner, LLC member/manager, or an otherwise related party.

The Texas Department of Transportation maintains the information collected through this form. With few exceptions, you are entitled on request to be informed about the information that we collect about you. Under §§552.021 and 552.023 of the Texas Government Code, you also are entitled to receive and review the information. Under §559.004 of the Government Code, you are also entitled to have us correct information about you that is incorrect.



## CONFIDENTIAL QUESTIONNAIRE

Date of Release Sheet \_\_\_\_\_

Name under which you wish to qualify \_\_\_\_\_

At least one:

- Individual
- Limited Partnership
- General Partnership
- Corporation
- Limited Liability Company

Five Office Bldg. \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Street Address (optional) \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone

Fax

E-mail address

Area Code \_\_\_\_\_ Number \_\_\_\_\_ Area Code \_\_\_\_\_ Number \_\_\_\_\_

Display fax # on TxDOT website  Display e-mail address on TxDOT website

\_\_\_\_\_  
Texas Telephone Identification No.

\_\_\_\_\_  
Federal Employer Identification No.

\_\_\_\_\_  
DUNS No.

## SPECIAL NOTICE

A Confidential Questionnaire submitted by an individual or business entity must contain all of the assets and all of the liabilities of the individual or business entity.

**Asset and financial information provided is considered confidential under the law and will not be voluntarily disclosed to other persons(s).**

**A Texas corporation must have a Texas Corporate Charter and furnish the department its charter or file number in the Corporation Block on Page 10 of its Confidential Questionnaire.**

REQUIRES  
LEGAL  
BUSINESS  
ORGANIZATION

A Texas Attorney General's opinion permits a foreign corporation to become a qualified bidder with the department and to be issued bidding documents prior to registering the corporation to do business in this state; however, the corporation must register to do business in Texas prior to the execution of a contract with the department. In this instance, the foreign corporation should ascertain the availability of its name in Texas and submit its questionnaire under that name. If the contractor has not yet registered the corporation, he/she must file a name registration with the Texas Secretary of State, and provide this department with evidence of such filing. This name registration must be renewed continually until the corporation becomes registered. In addition, it will be necessary that we be furnished a copy of the corporation's Corporate Charter as filed in the state of incorporation in order that our records will be complete.

**A Texas Limited Liability Company must have Texas Articles of Organization or Certification of Formation and furnish the department its file number in the Limited Liability Company Block on page 10 of the questionnaire.**

**A Texas Limited Partnership must have a Texas Certificate of Limited Partnership and furnish the department its file number in the Limited Partnership Block on page 10 of the questionnaire.**

## WARNING TO BIDDERS

The signer of this Confidential Questionnaire guarantees, as evidenced by the sworn affidavit required herein, the truth and accuracy of all statements and of all responses made in the questionnaire.

In order for a contractor to be considered eligible to bid on Texas Department of Transportation work, he/she must file a satisfactory Confidential Questionnaire using this form, along with the required financial statements, with the Texas Department of Transportation at Austin, Texas. The statement shall be made as of the last day of any month, and must be on file in Austin 10 days prior to the date bids are to be opened, if a contractor is to be eligible to bid. (See Item 2.2 of the Standard Specifications.) In addition, the statement must be approved for at least one listing prior to its anniversary date. The department interprets this 10 day requirement as being 30 calendar days before the last day of the listing. For example, assume that a contractor wishes to submit bids on projects to be opened on the 12th and/or 13th of July. The statement must be filed by the 3rd day of July in order to be eligible to bid on those projects.

A new statement must be filed annually. If a contractor files a satisfactory statement, he/she will be eligible to bid for a period of 12 months from the date of the statement. Also, contractors are automatically granted a 90 day grace period to prepare and submit a new statement.

The contractor should be aware that the 90 day grace period will allow he/she to bid in the three consecutive monthly listings following the anniversary of the statement, inclusive of any cancelled listing date or supplementary listings, or for a period not to exceed three months from the anniversary date of the statement. The contractor may bid on locally bid projects during this time as well. The 10 day requirement must still be met if the contractor desires to submit bids in listings following the grace period.

If discrepancies are found in this Confidential Questionnaire, the questionnaire will be considered unsatisfactory, and the contractor will be ineligible to bid until the discrepancies are satisfactorily explained to this department.

In compiling a Confidential Questionnaire, all items must be completed and "Total Assets" must equal "Total Liabilities and Equity." If there is nothing to report in certain schedules, then make the notation "None" or "N/A."

The amounts shown for each item must be actual, as taken from the company's books and verified, and must not be "approximate" amounts.

Firms based outside of the United States must furnish financial information converted to U.S. dollars at the exchange rate as of the balance sheet date. In addition, these firms should obtain the required firm registration as outlined above, and Assumed Name Certificate, if applicable.

In line with the Authorization for Verification and Affidavit found on pages 11 and 12 of the Confidential Questionnaire, the department may verify the status of any item contained in the statement. **THIS MAY OCCUR AT ANY TIME DURING THE PERIOD YOUR STATEMENT IS IN FORCE.** Disclosures made during this verification may result in the revision of your approved bidding capacity, or the requirement of a new statement.

## INSTRUCTIONS

The Confidential Questionnaire is to be submitted along with audited financial statements by firms wishing to become eligible to bid on all classes of construction and maintenance projects, as well as "emergency" projects.

**Emergency projects** exist from situations or conditions which pose an imminent threat to life or property of the traveling public or which substantially disrupt the orderly flow of traffic. These projects may require work which must begin instantaneously. These projects may include removal of hazardous material, clearing debris from the roadway, temporary traffic operations, and mowing to eliminate safety hazards when such work meets the requisites of an emergency. Refueling vehicles may be required for evacuation. Emergency situations provide for an alternate procedure for the expedient award of contracts to meet conditions in which essential corrective or preventive action would be unreasonably hampered or delayed by compliance with other laws. Contractors wishing to be considered for emergency contracts must furnish a 24-hour phone number and an email address.

Please answer in complete detail all questions in the Confidential Questionnaire. This applies particularly to **dates when contracts are expected to be completed, and dates when notes or bills will become due or must be paid.**

The **financial statements must be audited** by an independent certified public accounting firm meeting the requirements for public practice in Texas. The department may make adjustments to a contractor's net working capital as deemed necessary as a result of analysis of the full prequalification statement.

In the event affiliated firms desire to prequalify with the department, they must prequalify based on statements prepared as of the same date.

For the purposes of the Confidential Questionnaire, two or more firms are affiliated if:

- (i) the firms share common officers, directors, or stockholders;
- (ii) a family member of an officer, director, or stockholder of one firm serves in a similar capacity in another of the firms;
- (iii) an individual who has an interest in, or controls a part of, one firm either directly or indirectly also has an interest in, or controls a part of, another of the firms;
- (iv) the firms are so closely connected or associated that one of the firms, either directly or indirectly, controls or has the power to control another firm;
- (v) one firm controls or has the power to control another of the firms; or
- (vi) the firms are closely allied through an established course of dealings, including but not limited to the lending of financial assistance.

A family member is considered to be an individual's parent, parent's spouse, step-parent, step-parent's spouse, sibling, sibling's spouse, spouse, child, child's spouse, spouse's child, spouse's child's spouse, grandchild, grandparent, uncle, uncle's spouse, aunt, aunt's spouse, first cousin, or first cousin's spouse.

Affiliates may not submit bids on the same project. Should we receive bids on the same project from two or more firms who are affiliated according to one or more of the above definitions, each of the bids will be declared non-responsive and neither will be considered.

If the entity filing this statement holds an equity in another company or business, this should be shown under "Other Assets" and sufficient data must be given to thoroughly verify such assets shown. This shall also apply to joint ventures operating as separate entities.

Please complete Question No. 14, Page 9, in detail, listing not only the officers/owners of the company, but also the superintendents who will be in charge of the work. If more space is required, please insert additional sheets.

If there is not sufficient space in the Confidential Questionnaire, please use attached schedules to support the detailed information requested, and refer to the specific schedule where the details pertaining to the item total may be found. When attaching these schedules, please furnish detailed addresses when they are requested. Inadequate cross referencing will result in processing delays and the possible return of the statement.

The proper Authorization for Verification and Affidavit block on pages 11 and 12 of the Confidential Questionnaire must be executed by the person or persons authorized to do so and must be acknowledged by a Notary Public. The Notary Public must be an individual other than an officer, partner, LLC manager or an otherwise related party. The department will presume, unless otherwise advised, that the general partners of a partnership or officers of a corporation listed are authorized to enter into contract on behalf of their firm. If they desire that additional persons be authorized to execute instruments on behalf of the firm, they must furnish a Power of Attorney or Corporate Resolution which contains this authority.

The Certification of Absence of Suspension, Debarment, Voluntary Exclusion, or Determination of Ineligibility should be completed if your firm is interested in bidding on federal-aid projects. The certification itself is comprised of two pages, page numbers v and vi. The second page (vi) contains a notarization which is separate from the notarization required on the Authorization for Verification and Affidavit found on pages 11 and 12.

Please notify this office immediately upon making any changes in the organizational structure of your business entity (i.e., conversion from a corporation to a limited partnership) in order that bidding proposals may be issued to the correct entity, and that any outstanding contracts may be reassigned to the present name and form of your business.

### SPECIAL NOTICE REGARDING THE USE OF ASSUMED NAMES

If the contractor chooses to qualify under an assumed name, and is based in Texas, a certified copy of the Assumed Name Certificate as filed with the County Clerk in the county of residence must be provided with this questionnaire during the initial filing, and upon assumed name renewal. Additionally, if the firm is a corporation, limited partnership, registered limited liability partnership, or a limited liability company (within or outside of Texas), it must also provide proof of filing this assumed name with the Texas Secretary of State. Firms residing outside of Texas using an assumed name must also file an Assumed Name Certificate in the county of their registered or principal office in Texas, and furnish this department a certified copy of this certificate. If no office is maintained in Texas, this filing should be made with the Travis County Clerk's office in Austin, Texas. Excerpts from the Texas Assumed Business or Professional Name Act are shown on page 16.

## SPECIAL NOTICE REGARDING SUPPLEMENTAL INFORMATION

In order to expedite and facilitate the prompt approval of your prequalification statement, the following information **must** accompany your submission.

### FAILURE TO PROVIDE ALL REQUESTED INFORMATION COULD RESULT IN THE RETURN OF YOUR STATEMENT.

1. **A complete set of audited financial statements**
  - a. Classified Balance Sheet
  - b. Income Statement
  - c. Statement of Cash Flows
  - d. Statement of Retained Earnings
  - e. Notes to the Financial Statements

2. **Schedule of General and Administrative Expenses prepared by independent certified public accountant.**

Please note that any financial statements submitted to the department for the purposes of qualification must be prepared by an independent certified public accounting firm in current good standing with the Texas State Board of Public Accountancy. This is a requirement if your firm is based or located in Texas. Should the accountant sign under a firm name, that firm must also maintain a current license with the State Board. Current licenses for CPAs may be verified online at [www.sbpca.state.tx.us/pls/jpl/frm/lookap.plp](http://www.sbpca.state.tx.us/pls/jpl/frm/lookap.plp). CPA firms located outside of Texas and preparing financial statements for firms or individuals located or based within Texas should contact the State Board of Public Accountancy, Licensing, at 512-305-7853. Some licensing requirements have changed as of September 1, 2007.

3. **A Confidential Questionnaire completed in detail.** In those schedules where there is nothing to report, the notation "None" or "N/A" should be inserted. Failure to complete the Confidential Questionnaire will result in the return of your prequalification statement. Please ensure that the totals in the questionnaire correspond with those totals in the financial statements.
4. **A certified copy of your organizational documents** (Corporate Charter, Articles of Incorporation, Articles of Organization, Certificate of Formation, LLC Regulations, Certificate of Limited Partnership or Limited Partnership Agreement) if you are a foreign entity filing your initial prequalification statement and your firm does not have a current Certificate of Authority or registration to do business in Texas as issued by the Texas Secretary of State's Office.
5. **Resumes reflecting the construction experience of the principals of the firm** for firms submitting their initial prequalification. These resumes should include the size and scope of work performed.
6. Item 1 on Page 8 of the Confidential Questionnaire **must** reflect at **least the six larger acres of equipment** available by renting, along with the source. This list may include those sources identified in the area of your firm's home office and not necessarily those with which the firm has current rental agreements or commitments.
7. The firm's **Texas Taxpayer Identification Number** as issued by the Texas Comptroller of Public Accounts. This information is necessary to process payments on projects awarded your firm.
8. Your **firm's e-mail address and fax number**. These are requested for the purpose of forwarding project addenda in a timely manner. Should you wish for either of these to appear on our website, please check the appropriate box. Otherwise, this information will not be published.
9. Your **firm's DUNS number as issued by Dun & Bradstreet**. This number is used by the department for required reporting on Federal Aid projects. If you do not yet have one, you may obtain it at [www.dun.com](http://www.dun.com), or by calling 1-866-705-5711.
10. **Other information as requested by the department. SUCH AS**

## SPECIAL NOTICE REGARDING CERTIFICATION OF ABSENCE OF SUSPENSION, DEBARMENT, VOLUNTARY EXCLUSION, OR DETERMINATION OF INELIGIBILITY

The U.S. Department of Transportation has adopted rules concerning non-procurement debarment and suspension in accordance with the Office of Management and Budget (OMB) guidelines. Under these rules, the Federal Highway Administration will not be able to consider in the award of a contract for any Federal-aid project to any contractor which is currently suspended or debarred by any Federal agency.

As a result of the above, the department has adopted rules concerning the issuance and submission of proposals that preclude issuing a bidding proposal for a Federal-aid project to a firm that is currently suspended or debarred by any agency of the Federal government.

To facilitate the department's compliance with this rule, it will be necessary for all qualified contractors to complete and file a Certification of Absence of Suspension, Debarment, Voluntary Exclusion, or Determination of Ineligibility with the Construction Division of this department. This certification is included on pages v and vi of this document. The certification will be incorporated in each bidder's respective file. To avoid delay in receiving bidding proposals for Federal-aid projects, bidders are encouraged to complete their certifications.

The undersigned bidder, being fully cognizant of the facts stated in the certifications contained on page v, certifies the truth and accuracy of those certifications, which are made by signing this document.

\_\_\_\_\_  
Signature/Title

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

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed on the foregoing instrument and who, being duly sworn by me, stated on oath that he/she is qualified and authorized to make this affidavit for and on behalf of \_\_\_\_\_, bidder, of \_\_\_\_\_ County, acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**DON'T FORGET  
TO GET THIS  
NOTARIZED**



\_\_\_\_\_  
Notary Public in and for

\_\_\_\_\_  
County

NOTE: The Notary Public must be an individual other than an officer, partner, LLC manager, or an otherwise related or interested party.

## BUSINESS CLASSIFICATION

The following should be completed in order that we may properly classify your firm.

The department defines a small business as "... a legal entity, including a corporation, partnership, sole proprietorship that is formed for the purpose of making a profit, is independently owned and operated, and has either fewer than 100 employees or less than \$ 6,000,000.00 in annual gross receipts."

(Check the blocks) which are applicable — Block 3 is to be left blank if Block 1 and/or Block 2 is checked.)

- has fewer than 100 employees  
and/or
- has less than \$6,000,000.00 in annual gross receipts
- OR**
- does not meet the criteria for being designated a small business as provided in Section 2006.001 of the Texas Government Code.

The classification of your firm as a small or large business is not a factor in determining eligibility to become privatized.

## WORK CATEGORY INFORMATION SHEET

In an effort to identify the kind(s) of work you perform, please check one or more of the following blocks to indicate the categories of work your firm is involved with.

- |   |   |
|---|---|
| <input type="checkbox"/> Asphalt (ACT, LRA, Seal Coats)                         | <input type="checkbox"/> Rest Areas (Construction)    |
| <input type="checkbox"/> Concrete Paving & Incidentals                          | <input type="checkbox"/> Traffic Control Devices      |
| <input type="checkbox"/> Earthwork, Base & Subbase                              | <input type="checkbox"/> Other: _____                 |
| <input type="checkbox"/> Emergency Contracts*<br>Emergency Contact Individual** | <input type="checkbox"/> Guardrail Repair             |
| Name: _____   | <input type="checkbox"/> Debris Clearing/Removal      |
| Phone for 24-hour contact: (____) _____   | <input type="checkbox"/> Moving                       |
| E-mail: _____   | <input type="checkbox"/> Litter Pickup & Disposal     |
| ** All fields are mandatory to be considered for emergency work.                | <input type="checkbox"/> Cleaning & Sweeping Highways |
| <input type="checkbox"/> Fencing  | <input type="checkbox"/> Building Construction        |
| <input type="checkbox"/> Hauling  | <input type="checkbox"/> Rest/Picnic Area Maintenance |
| <input type="checkbox"/> Lighting & Signal Maintenance                          | <input type="checkbox"/> Hazardous Material           |
| <input type="checkbox"/> Landscaping  | <input type="checkbox"/> Underwater Inspection        |
| <input type="checkbox"/> Major Structures                                       | <input type="checkbox"/> Stream Channel Restoration   |
| <input type="checkbox"/> Material Supplier                                      | <input type="checkbox"/> Pavement Markers             |
| <input type="checkbox"/> Minor Struct./Misc. Concrete                           |   |
| <input type="checkbox"/> Painting & Striping                                    |   |

\*NOTE: If indicating your availability for emergency contracts, please insure that the above contact information remains updated with this office at all times. In the event of an emergency, we may be inquiring about your availability as well as a list of equipment available for the emergency.

**Check the Districts by city in which you are willing to work:**

### District Offices

- |  |   |                                    |
|--|---|------------------------------------|
| <input type="checkbox"/> All           | <input type="checkbox"/> Tyler          | <input type="checkbox"/> Atlanta   |
| <input type="checkbox"/> Paris         | <input type="checkbox"/> Lubbock        | <input type="checkbox"/> Beaumont  |
| <input type="checkbox"/> Fort Worth    | <input type="checkbox"/> Houston        | <input type="checkbox"/> Pharr     |
| <input type="checkbox"/> Wichita Falls | <input type="checkbox"/> Yoakum         | <input type="checkbox"/> Laredo    |
| <input type="checkbox"/> Amarillo      | <input type="checkbox"/> Austin         | <input type="checkbox"/> Brownwood |
| <input type="checkbox"/> Lubbock       | <input type="checkbox"/> San Antonio    | <input type="checkbox"/> El Paso   |
| <input type="checkbox"/> Odessa        | <input type="checkbox"/> Corpus Christi | <input type="checkbox"/> Childress |
| <input type="checkbox"/> San Angelo    | <input type="checkbox"/> Bryan          |                                    |
| <input type="checkbox"/> Abilene       | <input type="checkbox"/> Dallas         |                                    |
| <input type="checkbox"/> Waco          |   |                                    |

**BE SURE TO ANSWER ALL QUESTIONS  
IF NOT APPLICABLE BE SURE TO INDICATE**

Form 3561

**BIDDER'S EXPERIENCE QUESTIONNAIRE**

1. List equipment which you do not own but which is available by renting.

DESCRIPTION OF EQUIPMENT	NAME AND DETAILED ADDRESS OF OWNER

2. How many years has your organization been in business as a general contractor under your present business name? \_\_\_\_\_

3. How many years experience in \_\_\_\_\_ construction work has your organization had:  
(a) As a General Contractor? \_\_\_\_\_ (b) As a Sub-Contractor? \_\_\_\_\_

4. \*What projects has your organization completed in Texas and elsewhere?

CONTRACT AMOUNT	CLASS OF WORK	DATE COMPLETED	LOCATION CITY-COUNTY-STATE	NAME AND DETAILED ADDRESS OF OFFICIAL TO WHOM YOU REFER

\*If qualifying only show work performed since last statement.

5. Have you ever failed to complete any work awarded to you? \_\_\_\_\_ If so, where and why?  
\_\_\_\_\_  
\_\_\_\_\_

6. Has any officer or owner of your organization ever been an officer or owner of another organization that failed to complete a contract? \_\_\_\_\_ If so, state name of individual, other organization and reason.  
\_\_\_\_\_  
\_\_\_\_\_

7. Has any officer or owner of your organization ever failed to complete a contract created in his/her own name? \_\_\_\_\_ If so, state name of individual, name of owner and reason.  
\_\_\_\_\_  
\_\_\_\_\_

8. In what other lines of business are you financially interested?  
\_\_\_\_\_  
\_\_\_\_\_

9. Have you ever performed any work for the U.S. Government? If so, when and to whom do you refer? Give detailed address.  
\_\_\_\_\_  
\_\_\_\_\_

# Next Steps

- Complete all forms
- Gather any additional information needed (see previous slide)
- Contact your TBOD Coordinator for questions or further assistance
- Bring forms and all requested information to TxDOT Pre-Qual One On One Appointment

# When are the One On One Pre-Qualification Appointments?

- El Paso – July 27<sup>th</sup>
- Austin – August 2<sup>nd</sup>
- Dallas – August 4<sup>th</sup>

\* Individual times will be set by your TBOD Coordinator