

NOTICE TO CONTRACTORS

Qualification of Contractors for Labor Contract for Power Line Right of Way Clearance and Tree Trimming

The Electric Power Board of Rockwood ("REU") requires the use of qualified contractors for supplying services in connection with power line right of way clearance and tree trimming within the REU service area. The contractor shall be responsible for the furnishing of all supervision, materials, labor, supplies, tools, equipment, and transportation necessary to trim or remove trees, brush and perform other utility forestry services including right of way clearing and at such time and place as may be designated by authorized representatives of REU.

Bid specifications are for work that may be performed using a combination of hourly (crew rate/hr.) or circuit rate of pay basis. The contractor shall make available crews for emergency work, as determined by REU, either day or night. REU reserves the right to do any work covered within this contract by its own forces, or to have such work performed by other contractors.

Contractors bidding on work for the period July 1, 2019 through June 30, 2020 must complete this qualification application and submit it with their bid.

Information in this packet will be used as part of the evaluation criteria to award work for the coming fiscal year, and potentially for additional years.

Invitations to bid are accompanied by bid specifications developed by REU, detailing the scope and magnitude of the work as well as the terms and conditions. After bid evaluations are complete, REU staff may recommend the awarding of work for power line clearance and tree trimming to our Board of Directors at their regularly scheduled meetings.

Prior to commencement of any work under contract, the successful Bidder shall deliver to REU a surety bond, in form satisfactory to REU, for the faithful performance of the contract and for the payment of all persons performing labor in connection with this contract. REU reserves the right during the term of the contract to require, and the contractor agrees to provide, an additional performance bond in such amount as may be necessary to maintain compliance with the bonding requirements mandated by law.

REU reserves the right at any time to determine that a contractor previously qualified is no longer qualified to perform the work or any part of the work. REU may at its option:

1. Qualify additional contractors
2. Advertise for bids on any work
3. Re-advertise for the prequalification of prospective contractors

REU will not accept bids from any contractor that has not been approved by REU. REU reserves the right to evaluate and award contracts on other than a low bid basis, to reject any and all bids and waive any and all informalities or technicalities therein, and the right to disregard all nonconforming or conditional bids. Bidder's submission of a qualification application agrees to this stipulation and will not challenge REU's decisions.

Each contractor should submit detailed responses to all information requested in this packet. The Application Form, along with any sealed bids or proposals, shall be returned to REU to the attention of Mr. Larry Brackett, Director of Construction & Maintenance, Rockwood Electric Utility, 341 W. Rockwood St., P.O. Box 108, Rockwood, Tennessee, 37854 by **May 16, 2019**.

Contractor's Qualification Application Form

Power Line Right of Way Clearance & Tree Trimming

Rockwood Electric Utility ("REU") - Rockwood, Tennessee

Each contractor (the "Contractor") is required to provide complete and detailed responses to all information requested herewith. Failure to comply will result in a Contractor not being deemed a qualified Contractor. Bids will be accepted only from qualified Contractors who satisfy the requirements as outlined in this document.

Contractors must show that their equipment and facilities are sufficient and their work load so arranged as to meet the schedules called for by the contract without relying on subcontracting any work to others. In order to aid REU in determining the responsibility of any Contractor, the Contractor shall furnish evidence, satisfactory to REU, of the Contractor's experience and familiarity with work of the character specified, and the Contractor's financial ability to properly prosecute the proposed work to completion. REU may conduct such investigations as it deems necessary to establish the responsibility, qualifications, and financial ability of the Contractors.

In order to be considered as qualified by REU, the Contractor shall provide evidence substantiating his or her qualifications as a well-established licensed Contractor. Please answer the following questions and provide the requested information detailed below:

1. List all previous experience in working for other utilities performing right of way and tree trimming services within the past five (5) years, including all utilities with whom the Contractor is presently obligated contractually. Should this list be longer than ten (10) utilities, include first only those utilities within the East Tennessee area, and next, only the most recent utility employers. For each employer, list the name and telephone numbers of the persons with whom the Contractor had primary contact. Briefly describe the contractual arrangement with respect to payment for work (i.e., billing based upon an hourly rate, clearing by unit length, clearing by zone or area, etc.). REU shall be entitled to inquire about the Contractor's performance under each such contract. If REU determines in its sole discretion that the Contractor's performance under any such contract falls below REU's standards for work, REU shall have the right to refuse any bid submitted by such Contractor. Any Contractor who has previously performed work for REU may, at its option, not submit such list of previous employers and thereby elect to be judged solely on its prior performance for REU.
2. If known, provide the names of all crew Foremen and supervisory personnel (including the General Foreman) that the Contractor plans to use together with their qualifications. Any working foreman or supervisor must be approved by REU. All supervisors must be present within the REU service area at all times during the workweek. They will not be able to work on other utilities.

This list and the employee qualifications shall, as a minimum, include the following:

- a. Employee's name.
- b. Previous employers with dates of employment and positions held.
- c. Employment dates and description of responsibilities during tenure with Contractor.
- d. Number of years experience as a Foreman or General Foreman supervising clearing operations and tree trimming.

Contractor shall employ only workers who are competent to perform the work assigned to them and who are adequately trained and experienced in performing first-class work of this character and magnitude. Prior to employing a Foreman, General Foreman or other person occupying a supervisory position in connection with the work, the Contractor shall require the delivery of a resume which details the educational background and work experience of such applicant. Contractor shall then promptly forward a copy of the resume of each such person to REU for approval prior to his or her involvement in any work under this contract.

3. Furnish detailed information on any contractual penalties, legal proceedings, lawsuits, or claims levied against the Contractor contending breach of or noncompliance with contract requirements or specifications within the past five (5) years.
4. Furnish a State of Tennessee Contractor's License as required by Tennessee Code Annotated, Section 62-6-101 ET SEQ, certifying that the Contractor is a licensed Contractor. List the expiration date, classification and monetary limit under which the work will be performed.
5. Furnish and maintain all necessary tools and equipment in good working order to provide for a safe work environment at all times in compliance with all governing safety organizations. The minimum equipment necessary to adequately perform the work is as follows:
 - a. Aerial Lift Trucks (55 ft. minimum working height)
 - b. Chip Trucks
 - c. Chipping Machines (at least one w/ winch line attachment)
 - d. Hydraulic Pruning Tools
 - e. Hand Pruners with 30 ft. minimum reach
 - f. Power Saws and other required equipment
 - g. All necessary safety equipment for personnel and traffic control

NOTE: The average age of all aerial lift devices and other motorized vehicles used in connection with the contract, as a group, shall be five (5) years or less. Rebuilt or remanufactured vehicles shall not be considered as new vehicles with respect to age.

6. Furnish evidence of all applicable insurance pursuant to work of this scope and magnitude, including as a minimum:
 - a. Worker's Statutory Compensation Insurance
 - b. Employer's Liability Insurance
 - c. Public Liability and Property Damage Insurance
 - d. Automobile Liability Insurance
 - e. Excess Liability (Umbrella Form) Bodily Injury/Death and Property Damage Insurance

Include applicable coverage limits for these policies. All policies shall have no less than thirty (30) days notice of cancellation, modification, or expiration.

7. Furnish one (1) copy of your written safety policy and associated work procedures. Include with this the frequency of your safety meetings, whether or not you have a full-time employee dedicated to employee safety (i.e., Safety Director) and describe your policy with regard to attendance at safety meetings (i.e., mandatory or voluntary participation). Please furnish one (1) copy of the information provided to your employees during your most recent safety meeting.

Furnish a sample safety audit form and a recently completed manager/foreman safety audit which was performed on a crew in the region.

8. Indicate whether or not your crewmembers are trained in current first aid practices and CPR in accordance with OSHA standards and state how often you “retrain” your employees in these skills.
9. Does your company participate in the Tennessee Drug Free Workplace Program? Does your company conduct random drug tests, in accordance with the FHWA 49CFR Part 382? Do you differential between “DOT” personnel, and “non-DOT” personnel? Are your employees required to attend “drug-free” meetings or workshops? If so, how often? Please furnish one (1) copy of the most recent documents provided to your employees with regard to the hazards of substance and alcohol abuse.
10. Furnish documentation as to the level of certification or accreditation of your company or its employees. Specifically, furnish documentation of ISA Arborist and Utility Arborist Certifications.
11. Will you be utilizing existing or purchasing new equipment for this contract? If you are utilizing existing equipment, please list all aerial lift devices, chip trucks, and pick-up trucks to be used together with the date of manufacture for each piece of equipment. In lieu of the equipment list described above for existing equipment, you may elect to provide a written statement wherein you warrant and agree to the equipment age stipulation of item no. 5 above.

12. The General Foreman must be present within REU's service area at all times while work is in progress (i.e., 5 days a week, 40 hrs. a week). Will this requirement present a problem for you or the proposed General Foreman (i.e., he will not be able to supervise additional crews working for other utility systems by "floating" throughout the area)?
13. Do you plan to commence work with an existing workforce or are your plans to hire local people to make-up this workforce? Describe the formal training your company provides its line clearance tree trimmers and include with this submittal typical information given to apprentices or trainees. State how long your apprenticeship program takes to complete before an employee is classified as a qualified line clearance tree trimmer, as per OSHA requirements.
14. Do you have qualified personnel licensed and experienced in the handling and use of chemicals, sprays, and herbicides commonly used in utility right-of-way applications? Please provide evidence of the same to REU, including (a) Charter Number; (b) Pest Control Commercial Applicator's License Number Certified in Weed Control – R/W with the Tennessee Department of Agriculture, Division of Plant Industry and (c) a listing of individuals in your employ, in Tennessee, that possess commercial pesticide applicator certification.
15. Will you be terminating any existing contracts or otherwise stopping work under any other agreement you may be contractually obligated under in order to commence this work? If you have any schedule conflicts with your current workload (as you look ahead to the proposed work for REU), please acknowledge the same to REU insofar as workforce, equipment, supervision, etc. are concerned.
16. Furnish a copy of your most recent financial report, including in particular, a copy of your company's balance sheet together with the Independent Auditor's Report.
17. Describe in sufficient detail your procedure for handling customer complaints and property damage claims. Specifically, what type of interface will you have with our customers, who will handle these situations on behalf of your company, and at what point will these matters be turned over to your insurance provider for further processing? What is your company's monthly average of customer complaint/damages for the past 12 months.
18. Furnish one (1) copy of your employee's handbook (i.e., personnel policies), which in particular describes the benefits afforded to your employees such as, but not limited to, paid vacations/holidays, pension plans, 401K offerings and provisions for company matching. Also, include with this information details concerning your company's health insurance plan.
19. The majority of work under this Contract will performed on a cost per circuit basis in rural and urban areas. Some work may be performed on an hourly (crew rate/hr.) basis. The exact numbers will be determined after receipt of final bids and subject to budget constraints.

20. Please list the location of your maintenance facility closest to our service area or indicate how you propose to perform maintenance on vehicles and equipment.

The undersigned Contractor hereby certifies that all answers provided and information contained within this application is true and accurate to the best of his or her knowledge, the Contractor understands the nature and character of work involved, the Contractor is sufficiently skilled in the providing of said services, the Contractor agrees to comply with all stipulations, conditions, and requirements described herein, and that by executing his or her signature below agrees not to challenge or dispute or make any claim against REU pertaining to any and all decisions made with regard to the Contractor's qualification status.

Dated this _____ day of _____, 2019.

Attest:

(Title)

Contractor:

By: _____

(Title)

For REU Use Only:

Contractor is hereby approved as a qualified contractor based upon the information provided.

Contractor will not be considered as qualified, based upon the information provided.

Rockwood Electric Utility

Reviewed By: _____

