



## Florida Department of Transportation

RICK SCOTT  
GOVERNOR

605 Suwannee Street  
Tallahassee, FL 32399-0450

ANANTH PRASAD, P.E.  
SECRETARY

May 13, 2013

ASPHALT PAVING SYSTEMS, INC.  
500 N EGG HARBOR RD  
HAMMONTON NJ 08037-0530

RE: CERTIFICATE OF QUALIFICATION

Dear Sir/Madam:

The Department of Transportation has qualified your company for the type of work indicated below. Unless your company is notified otherwise, this Certificate of Qualification will expire 6/30/2014. However, the new application is due 4/30/2014.

In accordance with S. 337.14 (1) F.S. your next application must be filed within (4) months of the ending date of the applicant's audited annual financial statements and, if applicable, the audited interim financial statements. Section 337.14 (4) F.S. provides that your certificate will be valid for 18 months after your financial statement date. This gives a two month period to allow you to bid on jobs as we process your new application for qualification. To remain qualified with the Department, a new application must be submitted subsequent to any significant change in the financial position or the structure of your firm as described in Section 14-22.005(3), Florida Administrative Code.

Your company's maximum capacity rating has been established based on  Audited Reviewed financial statements. To access it, please log into the Contractor Prequalification Application System via the following link:  
<https://www3.dot.state.fl.us/ContractorPreQualification/>

Once logged in, select "View" for the most recently approved application, and then click the "Manage" and "Application Summary" tabs.

**FDOT APPROVED WORK CLASSES:**

DRAINAGE, FLEXIBLE PAVING, GRADING, HOT PLANT-MIXED BITUM. COURSES

**FDOT APPROVED SPECIALITY CLASSES OF WORK:**

NONE

You may apply, in writing, for a Revised Certificate of Qualification at any time prior to the expiration date of this certificate according to Section 14-22.0641(3), Florida Administrative Code. Please be advised if certification in additional classes of work is desired, documentation is needed to show that your company has done such work with your own forces and equipment or that experience was gained with another contractor and that you have the necessary equipment for each additional class of work requested.

Sincerely,

Juanita Moore, Manager  
Contracts Administration Office

JM:cj

[www.dot.state.fl.us](http://www.dot.state.fl.us)



**REGULATED BUSINESSES – ENFORCEMENT**  
ENVIRONMENTAL LICENSING AND BUILDING PERMITTING DIVISION  
1 North University Drive, Building B ~ Plantation, FL 33324-2038 ~ Phone (954) 765-4400

Barbara R. Howell  
Project Manager 1 - City of Ft. Lauderdale - Engineering  
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**RE: License requirements or contractors working in the right-of-way in Broward County/Prequalification by Florida Department of Transportation**

Dear Ms. Howell:

Pursuant to your email request dated April 25, 2014, we have considered your question concerning statutory references to contractor licensing exemptions in Chapter 489, Florida Statutes. You have informed us that the City of Fort Lauderdale has issued a solicitation for an Annual Micro Surfacing contract and received a bid from Asphalt Paving Systems, Inc. As a part of the solicitation the City stated and required that to be considered for award of the contract, the bidder must submit a financial statement upon request and that a Broward County Engineering Contractor's License and/or the appropriate license issued by the State of Florida is required for working within public rights-of-way. The bidder submitted documentation including a Certificate of Qualification from The Florida Department of Transportation (FDOT) for the bidding company and information regarding exemptions contained with Section 489.103, Florida Statutes.

Section 255.20(1)(a), Florida Statutes, reads as follows: "Notwithstanding any other law, a governmental entity seeking to construct or improve bridges, roads, streets, highways, or railroads, and services incidental thereto, at a cost in excess of \$250,000 may require that persons interested in performing work under contract first be certified or qualified to perform such work. A contractor may be considered ineligible to bid if the contractor is behind by 10 percent or more on completing an approved progress schedule for the governmental entity at

the time of advertising the work. **A prequalified contractor considered eligible by the Department of Transportation to bid to perform the type of work described under the contract is presumed to be qualified to perform the work described.** The governmental entity may provide an appeal process to overcome that presumption with de novo review based on the record below to the circuit court." (Emphasis added.)

Based upon an opinion of the Attorney General's office interpreting this issue and upon the exemption contained within Section 489.103(1) and Section 255.20, Florida Statutes, a contractor prequalified by FDOT, is presumed to be qualified to perform work for a governmental entity seeking to construct or improve bridges, roads, streets, highways, or railroads and services incidental thereto, at a cost in excess of \$250,000.00. Thus the opinion goes on to state that contractors who have been prequalified by FDOT to perform the specific work classes described in the Certificate of Qualification issued by FDOT are presumed to be qualified for county transportation construction projects.

If you have any questions or need additional information, please let me know.

*David Burgueño*  
**Supervisor**  
**Regulated Businesses - Enforcement**