



MEMORANDUM

Date: October 3, 2013

To: The Honorable Chairman and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator

Re: **Clarification to Response Regarding Select Development and Construction, Inc.'s
Contractors License**

At the October 1, 2013 Board of Supervisors meeting, Procurement Director George Widugiris responded as to whether his department had looked at the actual license of Select Development and Construction, Inc. to determine if they were qualified to perform the work indicated in their bid. Mr. Widugiris' response was that they had not seen the actual license.

Mr. Widugiris' response may have left the Board with the impression that Procurement does not check the licenses of contractors. On the contrary, Procurement, in the normal course of business, checks the contractor's licensing through the Arizona Registrar of Contractors website.

A more detailed explanation of this item, as well as the material from the website for this license, is contained in the attached October 2, 2013 memorandum from Mr. Widugiris.

CHH/dph

Attachments

c: George Widugiris, Director, Procurement Department



MEMORANDUM

PROCUREMENT DEPARTMENT
DESIGN AND CONSTRUCTION DIVISION

Date: October 2, 2013

To: Chuck Huckelberry
County Administrator

From: George Widugiris *George*
Procurement Director

Subject: Clarifying Response to Question regarding Select Development & Construction's License

During the Board's discussion of Item 21A on the October 1, 2013 regular agenda, Protest Appeal by Borderland Construction - Solicitation No. 103853 – Magee Road Improvements - La Cañada to AZ 77 the Board of Supervisors denied an appeal by Borderland Construction (Borderland) of a decision dismissing Borderland's protest against award of the contract to Select Development & Construction (Select). Borderland contended that Select submitted an incomplete subcontractor list with its bid and was therefore nonresponsive. Select stated they were licensed to perform all of the work for which they had not subcontracted.

Supervisor Elias inquired about the investigation that was performed in response to Borderland's protest and specifically asked whether Procurement had seen Select's "actual licenses" that would allow the bidder (Select) to conduct all of the aspects of work that they claim they're going to do?

I am concerned that my response may have left an inaccurate impression with the Board of Supervisors. Contractors' licenses are a matter of public record available through the Arizona Registrar of Contractor's (AZROC) website at <http://www.azroc.gov/>. As in this case, Procurement staff **always** check the low bidder's license using this site because it provides the current status of the license and what it covers. Procurement neither requests nor looks at "actual license(s)" because they do not provide this critical additional information.

Select has a Class A- GENERAL ENGINEERING license and is authorized by AZROC to perform construction in connection with fixed works, including streets, roads, power and utilities plants, dams, hydroelectric plants, sewage and waste disposal plants, bridges, tunnels, and overpasses. Also included are the scopes of work allowed by all of the other engineering classifications, A-3 through A-21. Because of the broad scope this license covers we do believe Select is appropriately licensed do self-perform all work not provided by the three subcontractors on their list of subcontractors.

Attached you will find the Registrar of Contractor's report on Select's license and the description of what it covers from the Registrar of Contractor's Rules.

I hope this clarifies any misunderstanding that may have taken place on this matter.

Attachments (2)

The data supplied below is based on your specific request(s) and is correct to the best of our knowledge as of the date and time it was extracted from our data files. The information is provided without personal research or analysis. The data is subject to change on a daily basis. You may obtain additional public records related to any licensee, including dismissed complaints and nondisciplinary actions and orders, by contacting the ROC directly. If this information is required for legal purposes, you may request an affidavit or certified copies for a fee as specified in [A.R.S. 32-1104A3](#). Please read our Standard Disclaimer at www.azroc.gov/Legal/Disclaimer.html

Please note: The company or individuals listed on this license may hold other Arizona contracting licenses. To view information, status and complaint history for the past two years on other licenses held, go to the License Inquiry page and do a "Company Name and Personnel" search by entering the name of the company or individuals listed on the license.

Details for License Number 235319 (Tuesday, October 1, 2013 2:24:13 PM)

Contractor	License									
<table border="1"> <tr> <th data-bbox="175 716 842 772">Name/ Address/ Phone</th> </tr> <tr> <td data-bbox="164 779 842 890"> Select Development and Construction Inc 5401 S Arcadia Ave Tucson, AZ 85706-2011 Phone: (520) 664-0299 </td> </tr> <tr> <th data-bbox="175 896 842 940">Status/ Action</th> </tr> <tr> <td data-bbox="164 947 842 989" style="background-color: green; color: white; text-align: center;"> CURRENT </td> </tr> </table>	Name/ Address/ Phone	Select Development and Construction Inc 5401 S Arcadia Ave Tucson, AZ 85706-2011 Phone: (520) 664-0299	Status/ Action	CURRENT	<table border="1"> <tr> <th data-bbox="865 716 1404 772">Class Type Entity</th> </tr> <tr> <td data-bbox="854 779 1404 821"> A COMMERCIAL CORPORATION </td> </tr> <tr> <th data-bbox="865 827 1404 877">Issued/Renewal</th> </tr> <tr> <td data-bbox="854 884 1404 926"> First Issued: 12/07/2007 </td> </tr> <tr> <td data-bbox="854 932 1404 974"> Renewed Thru: 12/31/2013 </td> </tr> </table>	Class Type Entity	A COMMERCIAL CORPORATION	Issued/Renewal	First Issued: 12/07/2007	Renewed Thru: 12/31/2013
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Status/ Action										
CURRENT										
Class Type Entity										
A COMMERCIAL CORPORATION										
Issued/Renewal										
First Issued: 12/07/2007										
Renewed Thru: 12/31/2013										

License Class & Description **A GENERAL ENGINEERING**

Comments

- [REVOCAION 12/09/2010 - 01/19/2011]
- [SUSP 10/3/08 - 10/15/08 LACK OF BOND]

Qualifying Party and Personnel

The Qualifying Party listed below is associated with this license. All other persons named, if any, are associated with the company. They are not all necessarily associated with this license.

Name Thomas Brian Neal

Position QP/OFFICER **Qual. Date 12/07/2007**

Name Brandon Jay Neal

Position OFFICER

Complaint Information

Complaints against this contractor are listed below. Complaints that were cancelled, resolved or settled without a corrective work order or dismissed are not included. Contact the Registrar of Contractors at 602-542-1525 or toll-free statewide at 1-877-MY AZROC (1-877-692-9762) to identify the ROC office location you need to visit to view complete complaint documentation.

Open: 0	This is the number of complaints against this contractor that are currently open except those in which an agency inspection has not occurred or a violation was not found. Upon adjudication some complaints are found to be without merit and are dismissed.
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Closed Cases

Disciplined:	0	This is the number of complaints against this contractor that resulted in discipline being imposed after an administrative hearing or default because of a violation(s) of state contracting law.
Resolved/Settled/ Withdrawn:	1	This is the number of complaints closed against this contractor that were resolved or settled by the contractor or withdrawn by the complainant after issuance of a corrective work order or formal citation.
Denied Access:	0	This is the number of complaints against this contractor that were closed without corrective work being performed because the contractor was denied access by the complainant.
Bankruptcy:	0	This is the number of complaints against this contractor that were closed because the contractor is in bankruptcy.

How to collect from a license bond Bond [1] Information

Number	Effective	Amount	Paid	Available	Company	Notes
70091247	08/20/2012	\$90,000.00	\$0.00	\$90,000.00	The Guarantee Company of North America USA	

Bond [2] Information

Number	Effective	Cancelled	Amount	Paid	Available	Company	Notes
796211C	10/15/2008	09/27/2012	\$20,000.00	\$0.00	\$20,000.00	DEVELOPERS SURETY AND INDEMNIT	

Bond [3] Information

Number	Effective	Cancelled	Amount	Paid	Available	Company	Notes
41120303	12/07/2007	10/03/2008	\$5,000.00	\$0.00	\$5,000.00	PLATTE RIVER INSURANCE COMPANY	

From the current Arizona Registrar of Contractors Rules available at: <http://www.azroc.gov/Acrobat/Public/Rules.pdf>
Page 3 et seq.

B. Commercial contracting scopes. The scope of work which may be done under the commercial contracting license classifications is as follows:

A- GENERAL ENGINEERING

Construction in connection with fixed works, including streets, roads, power and utilities plants, dams, hydroelectric plants, sewage and waste disposal plants, bridges, tunnels, and overpasses. Also included are the scopes of work allowed by all of the other engineering classifications, A-3 through A-21.

A-3 BLASTING

The use of explosives and explosive devices for excavation, demolition, geological exploration, mining, or any construction related blasting. Included is any drilling, boring, or earth moving required for the placement of explosive charges, the erection of temporary shelters, barricades and associated protective devices, equipment, and enclosures.

A-4 DRILLING

Drilling includes horizontal and vertical drilling or boring, constructing, deepening, repairing, or abandoning wells; exploring for water, gas, and oil; and constructing dry wells, and monitor wells. Also included is the erection of rigs, derricks and related substructures, and installation, service and repair of pumps and pumping equipment.

A-5 EXCAVATING, GRADING AND OIL SURFACING

Movement and alteration of earthen material by digging, horizontal boring, trenching, grading, or compacting the material for a cut, fill, grade, or trench. Included is the placement of shoring, the oiling of base materials, and incidental blasting and drilling.

Excludes excavating for water, gas, and oil wells.

A-7 PIERS AND FOUNDATIONS

Installation of piers and foundations using concrete, rebar, and other materials common to the industry. Includes pile driving, excavation, forming and other techniques and equipment common to the industry.

A-9 SWIMMING POOLS

Construction, service, and repair of swimming pools and spas, including water and gas service lines from point of service to pool equipment, wiring from pool equipment to first readily accessible disconnect, pool piping, fittings, backflow prevention devices, waste lines, and other integral parts of a swimming pool or spa.

Also included is the installation of swimming pool accessories, covers, safety devices, and fencing for protective purposes, if in the original contract.

A-11 STEEL AND ALUMINUM ERECTION

Field fabrication, erection, repair, and alteration of architectural and structural steel and aluminum materials common to the industry, including field layout, cutting, assembly, and erection by welding, bolting, wire tying or riveting.

A-12 SEWERS, DRAINS AND PIPE LAYING

Installation and repair of any project involving sewer access holes, the laying of pipe for storm drains, water and gas lines, irrigation, and sewers. Includes connecting sewer collector lines to building drains and the installation of septic tanks, leaching lines, dry wells, and all necessary connections, and related excavation and backfilling.

A-14 ASPHALT PAVING

Installation of asphalt paving, and all related fine grading on streets, highways, driveways, parking lots, tennis courts, running tracks, play areas, and gas station driveways and areas, using materials and accessories common to the industry.

Includes the necessary excavation and grading only for height adjustment of existing sewer access holes, storm drains, water valves, sewer cleanouts, and drain gates.

A-15 SEAL COATING

Application of seal coating to asphalt paving surfaces. Includes repair of surface cracks and application of painted marking symbols.

A-16 WATERWORKS

All work necessary for the production and distribution of water including drilling well, setting casing and pump, related electrical work, related concrete work, excavation, piping for storage and distribution, storage tanks, related fencing, purification and

chlorination equipment.

A-17 ELECTRICAL AND TRANSMISSION LINES

Installation, alteration, and repair of transmission lines on public right-of-ways, including erection of poles, guying systems, tower line erection, street lighting of all voltages, and all underground systems including ducts for signal, communication, and similar installations. Installing transformers, circuit breakers, capacitors, primary metering devices and other related equipment of all electrical construction is included. All electrical systems of less than 600 volts on or inside a building are excluded.

A-19 SWIMMING POOLS, INCLUDING SOLAR

Construction, service, and repair of swimming pools and spas, with or without solar water heating devices, including water and gas service lines from point of service to pool equipment, wiring from pool equipment to first readily accessible disconnect, pool piping, fittings, backflow prevention devices, waste lines and other integral parts of a swimming pool, spa and attached solar water heating device.

Also included are swimming pool accessories, covers, safety devices, and fencing for protective purposes, if in the original contract.

A-21 LANDSCAPING AND IRRIGATION SYSTEMS

Treat, condition, prepare, and install topsoil. Plant all decorative vegetation.

Excavate, trench, bore, backfill and grade as necessary for installation of landscaping and irrigation systems.