



**ANTELOPE VALLEY COMMUNITY COLLEGE DISTRICT
PRE-QUALIFICATION APPLICATION**

**THE COMMONS BUILDING
PROJECT NO. AVC2023/2024-2**

General Contractor

June 4, 2024

**PRE-QUALIFICATION APPLICATION
ANTELOPE VALLEY COMMUNITY COLLEGE DISTRICT
THE COMMONS BUILDING**

GENERAL CONTRACTOR

DISTRICT	ANTELOPE VALLEY COMMUNITY COLLEGE DISTRICT
PROJECT DESCRIPTION	THE COMMONS BUILDING
PROJECT NUMBER	AVC2023/2024-2
PROJECT LICENSE REQUIREMENTS	<p align="center">California Contractors' License: B, General Building.</p> <p align="center">ONLY CONTRACTORS WITH A "B" LICENSE WHO WISH TO BID ON THE PROJECT ARE REQUIRED TO SUBMIT A PRE-QUALIFICATION APPLICATION AS OUTLINED IN THIS DOCUMENT</p>
LATEST TIME/DATE FOR QUESTIONS	<p align="center">Monday, June 17, 2024 11:00 AM</p> <p>Any addendum issued by the District will be released on or before June 20, 2024</p>
LATEST TIME/DATE FOR SUBMISSION OF PRE-QUALIFICATION APPLICATION	<p align="center">Tuesday, June 25, 2024 11:00 AM</p>
PROJECT LOCATION	<p align="center">ANTELOPE VALLEY COLLEGE 3041 WEST AVENUE K LANCASTER, CA 93536</p>
LOCATION FOR OBTAINING PRE-QUALIFICATION APPLICATION	<p align="center">Website: <u>https://www.avc.edu/purchasing-and-contracts/bid-opportunities</u> E-mail: <u>purchasing@avc.edu</u></p>

NOTICE IS HEREBY GIVEN that pursuant to Public Contract Code §20651.5, ANTELOPE VALLEY COMMUNITY COLLEGE DISTRICT ("District"), acting by and through its Board of Trustees, will receive up to, but not later than the above-stated date and time, completed and executed Pre-Qualification Applications for general contractors to construct a work of improvement on District's Antelope Valley Lancaster Campus commonly referred to as the Commons Building ("Project").

Contractors are required to pre-qualify to submit a Bid Proposal for bid packages requiring the following licenses:

- B, General Building**
- C-10 - Electrical Contractor**
- C-16 - Fire Protection Contractor**
- C-20 - Warm-Air Heating, Ventilating and Air-Conditioning**
- C-36 - Plumbing Contractor**

1. **Submittal of Applications.** All Pre-Qualification Applications must be submitted on forms furnished by the District. The following documents are required to be submitted to the District as outlined in section 13.6:

- Pre-Qualification Application**
- Most Current Balance Sheet**
- Most Current Income Statement**
- Illness Injury Prevention Program (IIPP)**
- Certificate of Insurance**
- Public Works Project Data Sheets**
- Letter from surety insurer (see Essential Requirements, 3.6)**

Applicants are solely responsible for submittal of their Pre-Qualification Application at or prior to the latest date/time for submitting Pre-Qualification Applications as set forth above. The District is not responsible to any Applicant for limitations, hindrances or interferences to an Applicant's ability to submit a Pre-Qualification Application. Pre-Qualification Applications must be submitted in one of the following manners:

1.1 E-mailed. Pre-Qualification Applications may be e-mailed to purchasing@avc.edu. It is the Applicants sole responsibility to confirm that Pre-Qualification Applications submitted through e-mail are received by the District. Pre-Qualification Applications that are submitted through e-mail, must utilize an e-signature software with an audit trail such as DocuSign or Adobe Acrobat Sign.

1.2 Mailed or Hand-Delivered. Pre-Qualification Applications may be mailed or hand-delivered to the following submittal address:

Antelope Valley Community College District
3041 West Avenue K
Lancaster, CA 93536
Attn: Angela Musial
Director of Purchasing and Contracts
Subject: The Commons Building Pre-Qualification Application

2. **Questions/Clarifications.** Questions or clarifications regarding Pre-Qualification Applications or requirements must be submitted through email to purchasing@avc.edu. The District will not respond to questions or clarification requests submitted in any other manner or submitted after the deadline specified above.

3. **Pre-Qualification Application.** The Pre-Qualification Application is available online on the District's Purchasing webpage: <https://www.avc.edu/purchasing-and-contracts/bid-opportunities> or by emailing purchasing@avc.edu. **Addenda, if any, to the Pre-Qualification Application will be distributed solely by posting to the District's Purchasing webpage: <https://www.avc.edu/purchasing-and-contracts/bid-opportunities>. Applicants are solely responsible for monitoring the District's Purchasing webpage for Addenda to the Pre-Qualification Application. Pre-Qualification Applications which do not acknowledge receipt of all Addenda posted to the District's Purchasing webpage will be rejected for non-responsiveness.**

4. **Pre-Qualification and Bidding Process.** The purpose of the Pre-Qualification Application process is to pre-qualify Contractors of specific trades to submit Bid Proposals for the Project. If two or more entities intend to submit a Bid Proposal for the Project as a Joint Venture, each entity forming a part of the Joint Venture must be separately pre-qualified. The District will only consider Bid Proposals

for the Project submitted by pre-qualified Contractors whose Trade requires prequalification; a Bid Proposal submitted by a Bidder who has not completed the Pre-Qualification Application and been deemed a Pre-Qualified Bidder will be rejected for non-responsiveness. The Contracts for the Project requiring prequalification, will be awarded to the Pre-Qualified Bidders submitting the lowest priced responsive Bid Proposal by action of the District's Board of Trustees. **The District will not consider Pre-Qualification Applications during the bidding process for award of the Contract to construct the Project.**

5. **Unauthorized Communications.** Applicants shall not directly or indirectly communicate, in any manner and through any media/medium, with: (i) the District or District employee engaged in preparation, processing or review of Pre-Qualification Applications; (ii) any consultant or professional retained by the District for the purpose of providing the District advice or professional services relating to the Project or the Pre-Qualification Application; or (iii) any other employee or representative of the District. The Pre-Qualification Application of an Applicant who engages in any prohibited communications will be rejected for non-responsiveness.
6. **District Pre-Qualification Application Modifications.** The District expressly reserves the right to modify any portion of this Pre-Qualification Application prior to the latest date/time for submission of Pre-Qualification Applications, including without limitation, the cancellation of this Pre-Qualification Application, by issuing Addenda to this Pre-Qualification Application.
7. **No Oral Clarifications/Modifications.** The District will not provide any oral clarifications or modifications to the Pre-Qualification Application or the requirements hereof; no employee, officer, agent or representative of the District is authorized to provide oral clarifications or modifications to the Pre-Qualification Application. No Applicant shall rely on any oral clarification or modification to the Pre-Qualification Application.
8. **Errors/Discrepancies/Clarifications to Pre-Qualification Application.** If an Applicant encounters errors or discrepancies in this Pre-Qualification Application or portions hereof, the Applicant shall immediately notify the District of such error or discrepancy. Any Applicant seeking clarification of any portion of this Pre-Qualification Application shall submit the requested clarification in writing to the District. Responses of the District to any requested clarification will be in writing in the form of a written addendum posted to the District's purchasing web site as described in Paragraph 3 above. All requests for clarification of this Pre-Qualification Application must be submitted and actually received by the District no later than the date/time set forth in this Pre-Qualification Application. All Applicant questions, clarification requests and other communications to the District relating to this Pre-Qualification Application or the Project shall be directed to e-mail the District at purchasing@avc.edu.
9. **Evaluation Factors for Pre-Qualification.** The Pre-Qualification of prospective bidders will be determined by the application of a pre-established scoring system to the information submitted by Applicants on the "Pre-Qualification Application" and responses to the District conducted "Reference Interview Questions". **To prequalify, an Applicant must answer all questions in Section 3 "Essential Requirements"** for the specific Project the Applicant is prequalifying for such that no (blank) answer results in a "Not Qualified" response. **Applicants must also meet or exceed the minimum number of points required for EACH of the sections as set forth below. Failure to achieve the minimum number of points in any category will result in the Applicant being deemed Not Qualified.**

Section 4, "Financials and Company History", the contractor must receive a minimum of 45 points out of a maximum score of 60.

Section 5, "Performance/Claims/Litigation", the contractor must receive a minimum of 168 points out of a maximum score of 225.

Section 6, "Safety/Labor", the contractor must receive a minimum of 41 points out of a maximum score of 55.

Section 7, "Specific Project Requirements", the contractor must receive a minimum of 31 points out of a maximum score of 42.

Section 8, "Reference Interview Questions", the contractor must receive a minimum of 75 points out of a maximum score of 100.

10. Project Delivery Method. The District will utilize a multiple prime contractor delivery method to construct the Project. The District anticipates that Ledesma & Meyer Construction Co., (CM) will provide construction management services to schedule and coordinate the work of the Project.

11. Anticipated Schedule. The anticipated schedule for the Commons Building is:

Issuance of Call for Bids	June 4, 2024
Pre-Qualification Applications Due	June 25, 2024
Pre-Qualification of Applicants Complete	July 9, 2024
Bids Due	July 16, 2024
Award of Bid Contract	August 2024
Project Commencement	August 2024
Project Final Completion	August 2026

12. Scope of Work.

12.1. Project. The Project includes the demolition and removal of the existing District buildings: Math/Engineering (ME), Tech Ed Electronics (TE1), Tech Ed Welding/Fire Technology (TE2) and Offices PE (OF2). The project also includes the construction of a new 55,000 sq. ft. single story building that includes a new cafeteria, conference rooms, offices, administration areas, multi-purpose student life areas and banquet facilities. The project will include installation of new underground utilities and site work.

12.2. Estimated Construction Costs. The estimated Construction Costs to complete the Work of the Bid is **Forty Eight Million Dollars** (\$48,000,000). The estimated construction costs for each trade (bid package) are listed below. The estimated Bid Construction Cost estimates are provided for reference only; construction costs to complete the Bid shall be determined at the time of bidding the construction contract for the Bid.

\$1,500,000.00	B, General Building (General Contractor)
\$5,000,000.00	C-10 - Electrical Contractor
\$550,000.00	C-16 - Fire Protection Contractor
\$3,000,000.00	C-20 - Warm-Air Heating, Ventilating and Air-Conditioning
\$2,000,000.00	C-36 - Plumbing Contractor

12.3. Required Contractors' License. The General Contractor work of Bid No. AVC2023/2024-2 requires bidders to possess the following classification of California Contractors' License: B, General Building.

12.4. Prevailing Wage Rates; DIR Registered Contractor. Public works prevailing wage rates are applicable to the work of the Bid. The successful bidders and their subcontractors shall pay not less than the prevailing wage rate determined by the California Department of Industrial Relations ("DIR") for the classification of work performed. The successful bidder and its subcontractors shall be DIR Registered Contractors. DIR Contractor Registration is required to be a Pre-Qualified bidder.

13. Pre-Qualification Application Submittal.

- 13.1. Pre-Qualification Application.** Applicants shall submit completed Pre-Qualification Applications as outlined in section 1, Submittal of Applications. Applicants are solely responsible for timely submittal of complete Pre-Qualification Application conforming to the requirements hereof. The District is not responsible to any Applicant for limitations, hindrances or interferences to an Applicant's ability to submit a Pre-Qualification Application.
- 13.2. Financial Statements.** Applicants must submit the most current copies of their Balance Sheet and Income Statement ("Financial Statements") concurrently with their Pre-Qualification Application.
- 13.3. Additional Information.** The District may request Applicants to provide additional or supplemental information or other materials. Failure of an Applicant to timely submit information or other materials requested by the District will result in rejection of the Applicant's Pre-Qualification Application for non-responsiveness.
- 13.4. False, Incomplete or Misleading Response.** All information provided in a Pre-Qualification Application shall be complete, accurate and without omission of material facts that render a response to be false or misleading. A Pre-Qualification Application response incorporating incomplete, inaccurate or omit material facts will be rejected for non-responsiveness.
- 13.5. Pre-Qualification Application Costs.** All costs to respond to this Pre-Qualification Application and all related activities shall be borne solely by Applicants.
- 13.6. Submittal Requirements.** To be considered, all of the following must be submitted to the District as outlined in section 1, Submittal of Applications:
- 13.6.1. Pre-Qualification Application.** Submit the completed and executed form of Pre-Qualification Application. Pre-Qualification Applications submitted on forms not issued by the District, shall be grounds for the District to reject such submissions for non-responsiveness. Modifications to the Pre-qualification Application forms will result in rejection of the Pre-Qualification Application for non-responsiveness.
 - 13.6.2. Financial Statement.** Submit the Applicant's most current Balance Sheet and Income Statement ("Financial Statements").
 - 13.6.3. IIPP.** Submit the Applicant's current Illness Injury Prevention Program (IIPP).
 - 13.6.4. Certificates of Insurance.** Submit the Applicant's General Liability and Workers' Compensation Certificates of Insurance. Do not include endorsements.
 - 13.6.5. Public Works Project Data Sheet.** Submit the completed form of Public Works Project Data Sheet for three (3) projects.
 - 13.6.6. Letter from surety insurer** (see Essential Requirements, 3.6). Submit a letter from an admitted surety insurer (approved by the California Department of Insurance, NOT the Applicant's agent or broker) authorized to issue bonds in the State of California, which states the Applicant has a per-project bonding capacity of at least \$2,000,000, and an aggregate bonding capacity of at least \$4,000,000.

14. Appeals Process. If the Applicant chooses to appeal their Pre-Qualification status, the Applicant shall e-mail a written request within two (2) business days of being notified of the Applicant's Pre-Qualification status to the Director of Purchasing and Contracts at purchasing@avc.edu. The written

request shall set forth in detail all grounds for the request including, without limitation, all facts, supporting documentation, legal authorities and arguments in support of the grounds for the request. Any matters not set forth in the written request shall be deemed waived. All factual contentions must be supported by competent, admissible and credible evidence. If no timely request for review is filed, the determination shall be final and all rights of the Applicant to challenge the District's decision, whether by administrative process, judicial process or any other legal process or proceeding, shall be waived.

The District will call to order a three-member Review Panel for appeals. The Review Panel shall not consist of more than one member who has participated in the prior review of the Application. Upon receipt of the written appeal, the Review Panel will meet to address the appeal. The Panel may consult with legal counsel or other parties during its review. The Panel will examine the appeal and the facts surrounding the determination before making a decision. The Panel's decision is the final decision of the District. There are no further administrative appeals, and the District's formal contract protest procedure is not applicable or available in this appeal process.

15. Public Records. Pre-Qualification Application and other documents responding to the Call for Qualifications become the exclusive property of the District upon submittal to the District. The Pre-Qualification Applications (questionnaire answers and financial statements [balance sheet and income statements]) submitted by Contractors are not public records and are not open to public inspection. All information provided will be kept confidential to the extent permitted by law. However, the contents may be disclosed to third parties for purpose of verification, or investigation of substantial allegations, or in an appeal hearing. State law requires that the names of contractors applying for Pre-Qualification status shall be public records subject to disclosure, and the first page of the application will be used for that purpose. If the District is required to defend or otherwise respond to any action or proceeding wherein request is made for the disclosure of the contents of any portion of a Pre-Qualification Application deemed exempt from disclosure hereunder, the Applicant submitting the materials sought by such action or proceeding agrees to defend, indemnify and hold harmless the District in any action or proceeding from and against any liability, including without limitation attorneys' fees arising therefrom. The party submitting materials sought by any other party shall be solely responsible for the cost and defense in any action or proceeding seeking to compel disclosure of such materials; the District's sole involvement in any such action shall be that of a stakeholder, retaining the requested materials until otherwise ordered by a court of competent jurisdiction.

16. Reservations of Rights. The issuance of this Pre-Qualification Application does not constitute an agreement by the District that any subsequent selection process will occur or that any contract will be entered into by the District. The District expressly reserves the right at any time to:

- Waive any defect or informality in any Pre-Qualification Application or the submittal of Pre-Qualification Applications
- Reject any or all Pre-Qualification Applications
- Issue a new Pre-Qualification Application in lieu of this Application
- Modify the subsequent selection process
- Procure all or any portion of the Work by any other means
- Determine that the Work will not be pursued

[END OF SECTION]

**PRE-QUALIFICATION APPLICATION FOR
THE COMMONS BUILDING PROJECT No. AVC2023/2024-2
GENERAL CONTRACTOR**

1. Applicant Information.

1.1. Contact Information.

Company/Firm Name	_____
Mailing Address	Street Address _____
	City, State, Zip Code _____
Physical Location (if different from mailing address)	Street Address _____
	City, State, Zip Code _____
Telephone/Fax	(_____) _____ Telephone
	(_____) _____ Fax

1.2. Applicant Contacts.

Name	_____
Contact Information	(_____) _____ Telephone
	(_____) _____ Fax
	_____ Email

1.3. California Contractors' License.

License Number(s)	_____
License Classification(s)	_____
Responsible Managing Employee; Responsible Managing Officer	_____
Expiration Date(s)	_____

1.4. Applicant Form of Entity.

- | | |
|--|--|
| <input type="checkbox"/> Corporation | <input type="checkbox"/> Limited Liability Partnership |
| <input type="checkbox"/> General Partnership | <input type="checkbox"/> Joint Venture |
| <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> Sole Proprietorship |
| <input type="checkbox"/> Limited Liability Company | |

1.5. List all the firm’s corporate officers, partners, proprietors, owners and key personnel (attach additional pages as necessary):

Name	Position	Years With Firm	% of Ownership

1.6. Applicant Form of Entity.

- | | |
|--|--|
| <input type="checkbox"/> Corporation | <input type="checkbox"/> Limited Liability Partnership |
| <input type="checkbox"/> General Partnership | <input type="checkbox"/> Joint Venture |
| <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> Sole Proprietorship |
| <input type="checkbox"/> Limited Liability Company | |

2. Insurance. All fields are to be completed. **Do not state “see attached.”**

Commercial Liability Insurance General Insurance	Insurer: _____ Policy No. _____ Broker _____
Commercial Liability Broker General Insurance	_____ (Contact Name) _____ (Street Address) _____ (City, State & Zip Code) (_____) _____ (_____) _____ Telephone Fax _____ (Email address)

- 3.4.** Does the Applicant's commercial liability insurance policy include automobile liability coverage?
- Yes No
- If the foregoing response is "No," does the Applicant maintain a current automobile liability policy of insurance with combined single limit coverage limits of at least One Million Dollars (\$1,000,000)?
- Yes No (Not Qualified)
- 3.5.** Applicant has a current workers' compensation insurance policy as required by the Labor Code or is legally self-insured pursuant to Labor Code §3700.
- Yes No (Not Qualified)
- ___ Bidder is exempt from this requirement, because it has no employees
- 3.6.** Applicant has submitted with this application a letter from an admitted surety insurer (approved by the California Department of Insurance, NOT the Applicant's agent or broker) and authorized to issue bonds in the State of California, which states the Applicant has a per-project bonding capacity of at least \$2,000,000, and an aggregate bonding capacity of at least \$4,000,000.
- Yes No (Not Qualified)
- 3.7.** The Applicant's Surety (as disclosed in the Applicant's response to Paragraph 2 of this Pre-Qualification Application) that will be issuing the Labor and Materials Payment Bond and the Performance Bond is A.M. Best rated at least A-/VII (A.M. Best rating of Surety is subject to independent verification by the District).
- Yes No (Not Qualified)
- 3.8.** The Applicant is ineligible or debarred from submitting Bid Proposals for public works projects or public works contracts pursuant Labor Code §1777.1 or Labor Code §1777.7.
- Yes (Not Qualified) No
- 3.9.** Have any of the following been a party to a contract (for construction services, construction management services or project management services) within the past ten (10) years with Antelope Valley College that has been terminated (other than for convenience):
- (i) the Applicant;
 - (ii) any predecessor in interest to the Applicant;
 - (iii) any firm or entity that is a subsidiary or parent of the Applicant; or
 - (iii) any firm or entity that is an Affiliate of the Applicant (an Affiliate means any entity, individual, firm, or corporation, directly or indirectly, through one or more intermediaries, controlling, controlled by, or under common control with the Applicant)
- Yes (Not Qualified) No
- 3.10.** Has your firm completed any DSA, OSHPD or other public works construction projects (as defined in Labor Code sections 1720-1720.6) with a total construction value of fifteen million dollars (\$15,000,000.00) or more within the last five (5) years?
- Yes No (Not Qualified)

[CONTINUED ON NEXT PAGE]

4.2. Based on the Applicant's most current Balance Sheet and Income Statement submitted, the District will calculate and score Financial Ratios as indicated in the table below.

Financial Ratio	Ratio Formula	Contractor's Ratio	Points
Current Ratio	$\frac{\text{Current Assets:}}{\text{Current Liabilities:}}$	_____ =	<1.3 = 0 pts 1.3 to 2.1 = 3 pts >2.1 = 5 pts
Debt to Equity	$\frac{\text{Total Debt:}}{\text{Equity:}}$	_____ =	<1.5 = 5 pts 1.5 to 2.1 = 3 pts >2.1 = 0 pts

4.3. Is your firm currently the debtor in a bankruptcy case? If "yes," please attach a copy of the bankruptcy petition, showing the case number, and the date on which the petition was filed.

Yes No

No 5 points

Yes 0 points

4.4. Has any predecessor to your firm sought protection under federal bankruptcy laws or any state insolvency laws in the last five (5) years? If "yes," please attach a copy of the bankruptcy petition or pleading initiating insolvency protection, showing the case number and the date on which the petition was filed.

Yes No

No 5 points

Yes 0 points

4.5. Has your firm changed names or license number in the past five years? If "yes," explain on a separate signed page, including the reason for the change including the previous names and license numbers.

Yes No

Not scored

4.6. How many years' experience does your RMO/RME have as a licensed contractor?

_____ Years

6 or more years 10 points

3-6 years 5 points

Less than 3 years 0 points

4.7. Has the Responsible Managing Officer (RMO) or the Responsible Managing Employee (RME) for your firm's California Contractors License been changed in the past five (5) years? If "yes," explain on a separate signed page, including the reason for the change.

Yes No

Not scored

4.8. How many DSA, OSHPD, or other public works construction projects (as defined in Labor Code sections 1720-1720.6) with a total construction value of fifteen million dollars (\$15,000,000.00) or more, has your firm completed within the last ten (10) years? _____

- 6 or more 15 points
- 5 10 points
- 4 5 points
- 3 2 points
- Less than 3 0 points

4.9. How many years has your organization been in business in California as a contractor under your present business name and license number? _____

- 6 years or more 15 points
- 5 years 10 points
- 4 years 5 points
- 3 years 2 points
- Less than 3 years 0 points

5. **Performance/Claims/Litigation.** An Applicant must receive a minimum of 168 points out of a possible 225 points in this section. For questions where explanations are required, District will assign points based on the response/explanation/documentation; explanations will be disregarded when not required by the question.

5.1. Have any of the following been a party in any litigation or arbitration proceeding against Antelope Valley Community College District within the past ten (10) years:

- (i) the Applicant;
- (ii) any predecessor in interest to the Applicant;
- (iii) any firm or entity that is a subsidiary or parent of the Applicant; or
- (iii) any firm or entity that is an Affiliate of the Applicant (an Affiliate means any entity, individual, firm, or corporation, directly or indirectly, through one or more intermediaries, controlling, controlled by, or under common control with the Applicant)

- Yes No
- No 10 points
- Yes 0 points

5.2. During the last five (5) years, your firm or any predecessor to your firm, or any of the equity owners of your firm have been convicted of a federal or state crime involving fraud, theft, or any other act of dishonesty. If “yes,” explain on a separate signed page.

- Yes No
- No 10 points
- Yes 0 points

5.3. Has your firm or any of its owners, officers, or partners ever been found liable in a civil suit, or found guilty in a criminal action, for making any false claim or material misrepresentation to any public entity or agency? If “yes,” explain on a separate signed page.

- Yes No
- No 10 points
- Yes 0 points

5.4. Have legal, arbitration or administrative proceedings (such as, dispute review boards) been brought by a construction project owner, subcontractor or general contractor against your firm or any of the principals, officers or equity owners of your firm within the past ten (10) years which arise out of or are related to any construction project? If “yes” details must include: (i) name of party initiating proceedings against the Bidder; (ii) contact name, address, phone and email address of party initiating proceedings; (iii) circumstances resulting in the initiation of proceedings; (iv) amount or other relief demanded; and (v) outcome of proceedings.

Yes No

If yes, on how many occasions? _____
No occasions *10 points*
1 or 2 occasions *5 points*
More than 2 occasions *0 points*

5.5. Has your firm brought any legal, arbitration or administrative proceedings (such as, dispute review boards) against the owner of a construction project within the past ten (10) years which arise out of or are related to the construction project? If “yes” details must include: (i) name of architect or design professional; (ii) contact name, address, phone and email address of contact person for architect or design professional; (iii) circumstances resulting in the initiation of proceedings; (iv) amount or other relief demand; and (v) outcome of proceedings.

Yes No

If yes, on how many occasions? _____
No occasions *10 points*
1 or 2 occasions *5 points*
More than 2 occasions *0 points*

5.6. Has your firm brought any legal, arbitration or administrative proceedings (such as, dispute review boards) against the architect or design professional for a construction project within the past ten (10) years which arise out of or are related to the construction project? If “yes” details must include: (i) name of architect or design professional; (ii) contact name, address, phone and email address of contact person for architect or design professional; (iii) circumstances resulting in the initiation of proceedings; (iv) amount or other relief demand; and (v) outcome of proceedings.

Yes No

If yes, on how many occasions? _____
No occasions *10 points*
1 or 2 occasions *5 points*
More than 2 occasions *0 points*

5.7. Has your firm brought any legal, arbitration or administrative proceedings (such as, dispute review boards) against the construction/project manager for a construction project within the past ten (10) years which arise out of or are related to the construction project? If “yes” details must include: (i) name of construction/project manager; (ii) contact name, address, phone and email address of contact person for construction/project manager; (iii) circumstances resulting in the initiation of proceedings; (iv) amount or other relief demand; and (v) outcome of proceedings.

Yes No

If yes, on how many occasions? _____
No occasions *10 points*
1 or 2 occasions *5 points*
More than 2 occasions *0 points*

5.8. Within the past five (5) years has a public agency awarded your organization a public works construction contract as a general contractor (general building) with an initial construction costs equal to or greater than the estimated trade (bid package) construction cost for the Project as listed in the instructions for Pre-Qualification Application (section 12.2)?

- Yes No
Yes 5 points
No 0 points

5.9. Has a claim or other demand ever been made against your organization's California Contractors License Bond? If "yes," explain on a separate signed page.

- Yes No
No 10 points
Yes 0 points

5.10. Has a complaint ever been filed against your organization's California Contractors' License with the California Contractors' State License Board? If "yes," explain on a separate signed page.

- Yes No
No 10 points
Yes 0 points

5.11. Within the past five (5) years has a Public Works-Worker Complaint been filed with the California Labor Commissioner against the Applicant which assert any of the following:

- Unpaid prevailing wages, including unreported hours
- Unpaid overtime, including overtime prevailing wage rates required for weekends and holidays. Unpaid travel reimbursements or benefits, such as medical, 401(k) plans, enhanced unemployment or other benefits.
- Misclassification of pay grades or classifications of labor
- Paychecks returned due to insufficient funds

- Yes No

If yes, on how many occasions? _____

- No occasions 10 points*
1 occasion 5 points
More than 1 occasion 0 points

5.12. If a Public Works-Worker Complaint has been filed against the Applicant within the past five (5) years, did the Labor Commissioner issue a Civil Wage and Penalty Assessment (CWPA) in connection with such Worker Complaint?

- Yes No

If yes, on how many occasions? _____

<i>No Public Works-Worker Complaint filed or A Public Works-Worker Complaint was filed but not CWPA was issued</i>	<i>10 points</i>
<i>1 occasion</i>	<i>5 points</i>
<i>More than 1 occasion</i>	<i>0 points</i>

5.13. Has the Applicant ever "failed to execute" a public works contract? Note: "Failed to Execute" is any of the following: (1) Refusal to pick up, sign, and/or return contract documents; (2) Inability to meet insurance and/or bond requirements; or (3) Failure to submit required agreement forms

such as a Project Stabilization Agreement/Community Workforce Agreement/Project Labor Agreement.

- Yes No
No 5 points
Yes 0 points

5.14. Has your organization ever failed to complete a construction contract? If “yes,” explain on a separate signed page.

- Yes No
No 10 points
Yes 0 points

5.15. Has the Applicant ever been declared in default of a construction contract, regardless of whether or not the default declaration was subsequently amended, revised or rescinded?

- Yes No
No 5 points
Yes 0 points

5.16. Has any construction contract to which the Applicant was a party been terminated for default of the Applicant, regardless of whether or not the default termination was subsequently amended, revised or rescinded.

- Yes No
No 5 points
Yes 0 points

5.17. Has your organization ever failed to complete a public works construction contract within the authorized time? If “yes,” explain on a separate signed page.

- Yes No
No 10 points
Yes 0 points

5.18. Has your organization ever been assessed and paid liquidated damages under a construction contract with either a public or private owner?

- Yes No
No 5 points
Yes 0 points

5.19. At any time during the past five (5) years, has any surety company made any payments on behalf of your firm to satisfy any claims made against a payment bond issued to the Bidder, in connection with a construction project, either public or private? If “yes,” on a separate attachment set forth: (i) the amount of each such claim; (ii) the name and telephone number of the claimant; (iii) the date of the claim; (iv) the grounds for the claim; (v) the present status of the claim; (vi) the date of resolution of such claim if resolved; (vii) the method by which such was resolved if resolved; (viii) the nature of the resolution; and (ix) the amount, if any, at which the claim was resolved.

- Yes No
If yes, on how many occasions? _____
No occasions 10 points
1 or 2 occasions 5 points
More than 2 occasions 0 points

5.20.In the last five (5) years has any insurance carrier, for any policy of insurance, refused to renew or terminated an insurance policy for your firm? If "yes," explain on a separate signed page.

Yes No

If yes, on how many occasions? _____

No occasions *10 points*

1 or 2 occasions *5 points*

More than 2 occasions *0 points*

5.21.In the last five (5) years has any insurance carrier, for any policy of insurance, refused to issue an insurance policy for your firm? If "yes," explain on a separate signed page.

Yes No

If yes, on how many occasions? _____

No occasions *10 points*

1 or 2 occasions *5 points*

More than 2 occasions *0 points*

5.22.State your firm's current bond premium. You may provide an explanation for a percentage rate higher than one per cent, if you wish to do so.

_____ %

A rate of 0.9 percent or less *10 points*

A rate of 1.0 percent or less *5 points*

A rate no higher than 1.10 percent *3 points*

Any other answer *0 points*

5.23.How many years has your firm performed construction work under the California Division of the State Architect (DSA) rules and regulations?

_____ Years

6 or more years *10 points*

3-6 years *5 points*

Less than 3 years *0 points*

5.24.Has any CSLB license held by your firm or its Responsible Managing Employee (RME) or Responsible Managing Officer (RMO) been suspended, put on probation, or revoked within the last five years? If "yes," explain on a separate signed sheet.

Yes No

No *10 points*

Yes *0 points*

5.25.Are there any indictments or charges currently pending against the Applicant, any parent/subsidiary of the Applicant or any predecessor to the Applicant which allege fraudulent, deceitful, dishonest conduct or false claims arising out of, or related to construction services or project/construction management services provided by the Respondent.

Yes No

If "Yes" provide details, including without limitation: (i) the title of the matter; (ii) the court or agency name; (iii) docket number; (iv) the claim or file number; (v) description of the indictment or charges; (vi) contact information (name, address, phone and email address) of the prosecuting attorney.

No *10 points*

Yes *0 points*

a subcontractor. If "yes," on a separate attachment: (i) describe each instance of prevailing wage rate violation; (ii) identify the project on which a prevailing wage rate violation occurred; (iii) the public agency owner of the project; (iv) the number of employees affected by each prevailing wage rate violation; and (v) amount of back wages and penalties the Bidder was required to pay.

- Yes No
If yes, on how many occasions? _____
2 or less occasions 10 points
3 occasions 5 points
More than 3 occasions (-5) points

6.7. Within the past five (5) years, has there been more than one occasion in which your firm was penalized or required to pay back wages for failure to comply with the Federal Davis-Bacon prevailing wage requirements? If "yes," on a separate attachment: (i) describe each instance of prevailing wage rate violation; (ii) identify the project on which a prevailing wage rate violation occurred; (iii) the number of employees affected by each prevailing wage rate violation; and (iv) amount of back wages and penalties your firm was required to pay

- Yes No
If yes, on how many occasions? _____
2 or less occasions 10 points
3 occasions 5 points
More than 3 occasions (-5) points

6.8. Within the past five (5) years, has your firm been found to have violated any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works projects? If "yes," provide the date(s) of such findings, and attach copies of the Apprenticeship Council's final decision(s)

- Yes No
If yes, on how many occasions? _____
2 or less occasions 10 points
3 occasions 5 points
More than 3 occasions (-5) points

7. **Specific Project Requirements.** An Applicant must receive a minimum of 31 points out of a possible 42 points in this section.

7.1. Does your company prepare project progress schedules in house?

- Yes No
Yes 5 points
No 0 points

7.2. Does your firm have a written Quality Assurance/Quality Control program?

- Yes No
Yes 5 points
No 0 points

7.3. Are quality assurance/quality control services provided by your employees during project construction?

- Yes No
Yes 5 points
No 0 points

7.4. Complete a project data sheet (Attachment 1) for three (3) public works projects, **WITH SIMILAR SCOPE**, completed in the last 7 years by your firm that are similar in scope, construction costs

and completion time as the Project subject to this Pre-Qualification Application. One of the three projects may be currently under construction, but must be at least 75% complete at the time of submitting this Pre-Qualification Application Names and references must be current and verifiable.

9 points for each project data sheet (total of 27 points)

[CONTINUED NEXT PAGE]

8. Reference Interview Questions. An Applicant must receive a minimum of 75 points out of a possible 100 points in this section. Applicant points will be determined by the combined points from three (3) references as outlined in section 8.2.

8.1. Complete the following for the Applicant’s six to ten (6-10) most recently completed relevant projects with a dollar value of \$1,000,000.00 or greater. If a minimum of 6 references is not provided, the contractor will be disqualified.

PROJECT 1	Owner Name	Contact Name	Project Name	Project Dates	Dollar Value
	Address	Email/Phone #	Scope of Work Performed		
PROJECT 2	Owner Name	Contact Name	Project Name	Project Dates	Dollar Value
	Address	Email/Phone #	Scope of Work Performed		
PROJECT 3	Owner Name	Contact Name	Project Name	Project Dates	Dollar Value
	Address	Email/Phone #	Scope of Work Performed		

PROJECT 4	Owner Name	Contact Name	Project Name	Project Dates	Dollar Value
	Address	Email/Phone #	Scope of Work Performed		
PROJECT 5	Owner Name	Contact Name	Project Name	Project Dates	Dollar Value
	Address	Email/Phone #	Scope of Work Performed		
PROJECT 6	Owner Name	Contact Name	Project Name	Project Dates	Dollar Value
	Address	Email/Phone #	Scope of Work Performed		

PROJECT 7	Owner Name	Contact Name	Project Name	Project Dates	Dollar Value
	Address	Email/Phone #	Scope of Work Performed		
PROJECT 8	Owner Name	Contact Name	Project Name	Project Dates	Dollar Value
	Address	Email/Phone #	Scope of Work Performed		
PROJECT 9	Owner Name	Contact Name	Project Name	Project Dates	Dollar Value
	Address	Email/Phone #	Scope of Work Performed		

PROJECT 10	Owner Name	Contact Name	Project Name	Project Dates	Dollar Value
	Address	Email/Phone #	Scope of Work Performed		

[CONTINUED ON NEXT PAGE]

- 8.2. The following questions will be used by the District to interview and score three (3) randomly selected references from the list above. The combined points from the 3 selected references will determine the Applicants points for Section 8. The District will contact the randomly selected references directly. **No action on your part is necessary.** These questions are for the Applicants information only.

Questions

1. On a scale of 1-10 with 10 being “no”, are there any outstanding stop payment notices or liens currently unresolved on contracts that have had notices of completion recorded?
2. On a scale of 1-10 with 10 being “exceptionally timely”, how timely was the contractor in providing reports and other paperwork, including change order paperwork?
3. On a scale of 1-10 with 10 being “not excessive”, how excessive were change orders on the job that can be faulted to the contractor or subcontractors? (Max. 10 points)
4. On a scale of 1-10 with 10 being “no”, for change orders that can be faulted to the contractor or subcontractors, did the total of change orders exceed 10% of the contract price? (Max. 10 points)
Or, if the answer is “yes”, on a scale of 1-10, with 10 representing “not excessive”, rate the excess of change orders.
5. On a scale of 1-10 with 10 being “no difficulty”, was there difficulty with resolving and settling any claims? (Max. 10 points)
Or, if the answer is “yes”, on a scale of 1-10, with 1 representing claims reaching litigation, rate the difficulty of resolving and settling claims.
6. On a scale of 1-10 with 10 being “every time”, how often was the contractor and their subcontractors’ work completed according to plans, specifications, and code?
7. Was the project completed on time? (10 points if the answer is “Yes”).
Or, if the answer is “no”, on a scale of 1-10, with 10 representing on time completion with no delays attributable to the contractor, rate to what extent was the contractor responsible for the delay in completion.
8. On a scale of 1-10 with 10 being “extremely well”, how well did the contractor demonstrate cooperation with your agency, architect, and others?
9. On a scale of 1-10 with 10 being “excellent performance”, how would you rate the contractor's overall performance?
10. On a scale of 1-10 with 10 being “yes”, would you want to work with the contractor again?

[CONTINUED ON NEXT PAGE]

9. Accuracy and Authority. The undersigned is duly authorized to execute this Pre-Qualification Application under penalty of perjury on behalf of the above-identified Applicant. The undersigned warrants and represents that he/she has personal knowledge of each of the responses to this Pre-Qualification Application and/or that he/she has conducted all necessary and appropriate inquiries to determine the truth, completeness and accuracy of responses to this Pre-Qualification Application. The undersigned declares and certifies that the responses to this Pre-Qualification Application are complete and accurate; there are no omissions of material fact or information that render any response to be false or misleading and there are no misstatements of fact in any of the responses. The District is authorized to verify the information submitted by the Applicant, and any related documents, or by supplemental information or data as necessary. The District is authorized to contact any individual, company or other agency named herein, and any individual, company or other agency named herein is hereby authorized to supply the District with any information necessary to verify the information submitted by the Applicant. The above-identified Applicant acknowledges and agrees that if the District determines that any response herein is false or misleading or contains misstatements of fact so as to be false or misleading, the Applicant's Pre-Qualification Application may be rejected by the District for non-responsiveness.

Executed this ___ day of _____ 20__ at _____.
(City and State)

I declare under penalty of perjury under California law that the foregoing is true and correct.

By: _____
(Signature of Applicant's Authorized Officer or Representative)

(Typed or Printed Name)

Title: _____

Addenda Received _____

[END OF SECTION]

ATTACHMENT 1

(Attach duplicate forms for each Project)

PUBLIC WORKS PROJECT DATA SHEET

Project # _____ Applicant Name: _____

Project Name			
Project Location/Address			
Owner Name			
Owner Contact Person	Name		
	Title/Position		
	Email		
	Telephone		

1. Complete the following for the Project:

Start Date	
Original Contract Time (expressed in number of days or a specific date)	
Project owner approved adjustments to Contract Time (expressed in number of days)	
Actual completion date (expressed in number of days after the start date of construction or a specific date)	

2. Was the Project completed within the Contract Time established by the Project Owner for the Project, including the Project Owner's contractually approved time extensions?

YES NO

Completed on time Yes 1 point

Completed late No 0 points

3. Complete the following for the Project:

Original Contract Price	
Final Adjusted Contract Price	
Total dollar value of additive change orders	
Total dollar value of deductive change orders	

Original Contract Price \$2,000,000 or more

2 points

Original Contract Price between \$500,000 and \$1,999,999

1 point

Original Contract Price less than \$500,000

0 points

4. Complete the following for Change Orders issued for the Project:

Change Order Reason	% of Total Change Orders
Architect's Request/Design Correction	
Owner's Request	
Unforeseen Conditions	
Other	

5. Was project performed as a Public Works Project?

YES NO
Yes *1 point*
No *0 points*

6. Was the project subject to Division of State Architects (DSA) jurisdiction and compliance with DSA standards/regulations?

YES NO
Yes *2 points*
No *0 points*

7. Did the Division of Labor Standards Enforcement investigate any allegations or complaints relating to Prevailing Wage Rate violations, labor misclassifications or other violations of public works Labor Code requirements on the project?

YES NO
Yes *0 points*
No *2 points*

8. Did the Applicant complete all of the punchlist work identified at substantial completion OR did the owner take over and correct/complete the punchlist items?

APPLICANT OWNER
Applicant *1 points*
Owner *0 points*

Description (attach additional pages as necessary):

[CONTINUED ON NEXT PAGE]

Project Data Sheet Verification

The undersigned is duly authorized to execute this Project Data Sheet under penalty of perjury on behalf of the above-identified Applicant. The undersigned warrants and represents that he/she has personal knowledge of each of the responses to this Project Data Sheet and/or that he/she has conducted all necessary and appropriate inquiries to determine the truth, completeness and accuracy of responses to this Project Data Sheet.

The undersigned declares and certifies that the foregoing responses are complete and accurate; there are no omissions of material fact or information that would render any response to be false or misleading and there are no misstatements of fact in any of the responses. The District is authorized to verify the information submitted by the Applicant, and any related documents, or by supplemental information or data as necessary. The District is authorized to contact any individual, company or other agency named herein, and any individual, company or other agency named herein is hereby authorized to supply the District with any information necessary to verify the information submitted by the Applicant. The above-identified Applicant acknowledges and agrees that if the District determines that any response herein is false or misleading or contains misstatements of fact, the District may reject the Applicant's Pre-Qualification Application for non-responsiveness.

Executed this ____ day of _____, 20____ at _____.

(City and State)

I declare under penalty of perjury under California law that the foregoing is true and correct.

(Signature)

(Name and Title)