

NOVATO UNIFIED SCHOOL DISTRICT

PREQUALIFICATION PROCESS FOR THE MEASURE G BOND FACILITIES PROJECTS

NOTICE TO GENERAL CONTRACTORS AND MECHANICAL, ELECTRICAL, PLUMBING, FIRE PROTECTION AND UNDERGROUND PIPELINE SUBCONTRACTORS

(A, B, C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and C-46)

INCLUDES:

**PART A. INSTRUCTIONS & APPEALS PROCESS
PART B. PREQUALIFICATION QUESTIONNAIRE
PART C. RATING SYSTEM**



NOVATO UNIFIED SCHOOL DISTRICT

1015 Seventh Street | Novato, California 94945

TABLE OF CONTENTS

PART A. NOTICE

PART B. INSTRUCTIONS AND APPEALS PROCESS

PART C. PREQUALIFICATION QUESTIONNAIRE

PART D. RATING SYSTEM

NOTICE REGARDING PREQUALIFICATION FOR NOVATO UNIFIED SCHOOL DISTRICT MEASURE G BOND FACILITIES PROJECTS

Notice is hereby given by the Novato Unified School District (“District”) that general contractors planning to submit a proposal for the District’s Measure G Bond Facilities Projects (“Project”) will be required to prequalify pursuant to Public Contract Code § 20111.6 prior to submitting a proposal. Mechanical, Electrical and Plumbing Subcontractors are strongly encouraged to prequalify pursuant to this notice and will be required to prequalify for the Project; however, MEP Subcontractors will have another opportunity for prequalification prior to subcontractor selection for the Project. The applications may be submitted twice a year from October 15th through October 25th and March 15th through March 25th. Prequalification application packages are available on the District’s Construction Managers website at www.greystonewest.com.

The completed prequalification questionnaire, financial statements and supporting documents must be submitted on or before 4:00 pm on the closing dates of the prequalification. **Respondents to the prequalification must email their Submittal in PDF format to: Peter Novotny at Peter@greystonewest.com, CC Janell McFarland at jmcfarland@nUSD.org, followed up with one hard copy of the prequalification package in a sealed envelope marked “CONFIDENTIAL – Prequalification Package” to:**

Novato Unified School District
Attn: Joshua Braff, Chief Financial Officer
1015 Seventh Street
Novato, CA 94945

Bids for the projects will not be accepted from contractors that do not timely submit a completed prequalification questionnaire and financial statements to the District. Responses to the questionnaire and financial statements are **NOT** public records and are **NOT** open to public inspection.

PREQUALIFICATION FOR GENERAL CONTRACTORS AND MECHANICAL, ELECTRICAL, PLUMBING, FIRE PROTECTION AND UNDERGROUND PIPELINE SUBCONTRACTORS

FOR THE NOVATO UNIFIED SCHOOL DISTRICT MEASURE G FACILITIES BOND PROJECTS

INSTRUCTIONS AND APPEALS PROCESS

I. BACKGROUND AND OVERVIEW

The Novato Unified School District (“District”) is prequalifying General Contractors (“Contractors”) and Mechanical, Electrical, Plumbing, Fire Protection and Underground Pipeline subcontractors as required by Public Contract Code § 20111.6 (“MEP Subcontractors”) and holding one of the following licenses: **A, B, C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and C-46** to prequalify for future Measure G Bond Facilities Projects (“Project”).

Pursuant to Education Code section 17406, it is mandatory that all Contractors and MEP Subcontractors who intend to submit a proposal on the Project must provide all information and materials requested in this Prequalification Application and be prequalified by the District prior to submitting a proposal. Any MEP Subcontractors, as defined by Public Contract Code § 20111.6, required for the Project must be prequalified pursuant to these prequalification forms and requirements, and all Contractors must use prequalified MEP Subcontractors. MEP Subcontractors will have another opportunity for prequalification prior to subcontractor selection for the Project.

Effective March 1, 2015, per DIR Public Works Funding Legislation –SB 854, all contractors and subcontractors MUST be registered with the DIR to bid public works projects and abide by all the requirements set within SB 854. <http://www.dir.ca.gov/DIRNews/2014/2014-55.pdf>

II. PROJECT DESCRIPTION

The \$222 million Measure G Bond passed on November 8, 2016, and the Novato Unified School District is currently in the process of executing its Facilities Master Plan (FMP), as approved by the Board of Trustees. The facilities projects in the approved FMP will be sent out for bid under many different contract mechanisms, including the traditional Design – Bid – Build and Lease – Leaseback contract methods. Projects range in estimated construction cost from \$1.5 million up to \$30 million.

III. PREQUALIFICATION PROCESS

The following process will govern the conduct of Contractor and MEP Subcontractors Prequalification for the Project. A Contractor and MEP Subcontractors who submit prequalification responses thereby consent to and will comply with the procedures outlined below and as set forth in greater detail in this document.

- A. Submittal. Applicants are encouraged to submit prequalification packages as soon as possible, so that they may be notified of prequalification status well in advance of future proposals.

Prequalification responses shall be received by the District **no later than 4:00 pm between October 15th through October 25th and March 15th through March 25th. If the ending date falls on a Saturday or Sunday, packages will be due the next business day by 12:00pm.** All prospective licensed Contractors and MEP Subcontractors who wish to prequalify for the Project shall submit one copy of a completed prequalification questionnaire, financial statements and supporting documents electronically in PDF format to Greystone West Company at Peter@greystonewest.com followed up with one hard copy to the District on or before the bid dates. Completed prequalification questionnaires and financial statements should be marked CONFIDENTIAL "Pre-Qualification Package" and mailed or delivered to:

Novato Unified School District
Attn: Joshua Braff, Chief Financial Officer
1015 Seventh Street
Novato, CA 94945

Prequalification materials will only be accepted in accordance with the requirements of the law. The District reserves the right to request, receive, and evaluate supplemental information after the above time and date at its sole discretion.

- B. Form. Applicants shall complete the prequalification process and timely submit all documents as indicated in the Questionnaire. No other prequalification documents previously completed by the applicant will meet these requirements. All information requested in the Questionnaire must be provided in order to be considered "responsive" to the requirements of prequalification. If a question is not applicable, then indicate a response of "N/A." "You" or "Yours" as used herein refers to the prospective bidders' firm and any of its owners, officers, principals and qualifying individuals. If two or more business entities request prequalification on this project as a joint venture, or expect to prequalify as part of a joint venture, each entity within the joint venture must separately be qualified to be selected.

The Questionnaire shall be submitted as one package – it shall not be submitted "piecemeal." Applicants shall submit one (1) unbound completed Questionnaires with required attachments in "hard copy" format (i.e., 8-1/2"x11" paper) in a sealed envelope. Any questions regarding this package should be directed to the District's Construction Management firm, Greystone West, at Peter@greystonewest.com. Submission of an incomplete and/or unclear Questionnaire may result in a determination that the applicant is non-responsive and/or not qualified.

- C. Financial Statement. In addition to completing the Questionnaire, each applicant must submit its most current reviewed or audited year-end financial statement, which must have been prepared by a certified public accountant within twelve (12) months of each applicant's submission of the prequalification package. Each applicant must also provide its most current financial statement, which must have been prepared within three (3) months of each applicant's submission of the prequalification package. Applicants are exempt from providing the financial statements if they qualify as a small business pursuant to Government Code 14837 and the proposal is not more than 25% of the qualifying amount provided in Government Code 14837. Finally, each applicant must submit a notarized statement from an admitted surety insurer (approved by the California Department of Insurance and authorized to issue bonds in the State of California) which states the applicant's current bonding capacity.

Financial statements submitted with this prequalification package shall not be prepared by any individual who is in the regular employ of the firm submitting the statement, nor by any individual or entity who has more than a ten percent (10%) financial interest in the firm's business. If the individual or entity that prepared a financial statement submitted with this prequalification package

has any financial interest in the firm's business, the firm shall notify the District of such financial interest in a separate signed statement accompanying this prequalification package.

- D. District's Review. Applicants that have submitted a Questionnaire shall receive written notification of their prequalification status. The applicant will receive a rating of "Prequalified" or "Not Prequalified." All information provided will be kept confidential to the extent permitted by law, although the contents may be disclosed to third parties for the purposes of verification, investigation of substantial allegations, and in the process of an appeal hearing. State law requires that the names of contractors applying for prequalification status shall be public records subject to disclosure, and the first page of the questionnaire will be used for that purpose. The District reserves the right to reject any Questionnaire or to waive irregularities in any Questionnaire received, to make all final determinations, and to determine at any time that the prequalification procedures will not be applied to a future public works project.

- E. Non-responsiveness. A Questionnaire may be deemed non-responsive if:

1. The Questionnaire is not submitted on time.
2. Applicant does not provide all requested information.
3. The Questionnaire is not signed under penalty of perjury by individuals who have the authority to bind the applicant on whose behalf they are signing.
4. Information contained in the Questionnaire is not updated under penalty of perjury when it is no longer accurate.
5. Any information provided by the applicant is misleading or inaccurate in any material manner (e.g., financial resources are overstated; previous violations of law are not accurately reported). Even after an applicant has been determined to be qualified, the District reserves the right to revoke that determination at any subsequent time, to terminate any contract awarded, and to cease making payments if it determines that any information provided by the applicant was incomplete, misleading, inaccurate or false in any manner.

IV. QUALIFICATION CRITERIA

- A. Essential Criteria. As detailed herein, each potential applicant must provide specific information that will be reviewed and scaled by the District. Certain qualifications are essential. Any potential applicant who cannot satisfy all Part 1 "Essential Criteria," regardless of the ranking or ability to meet other criteria, will not be prequalified.

The Questionnaire also contains questions for which a numerical score will be given for specific answer(s). An applicant must receive a minimum score of 115 points (out of a maximum score of 140 points), regardless of its ability to meet other criteria, or the applicant will not prequalify for District work.

V. APPEAL PROCEDURE

Pursuant to Public Contract Code § 20101(d) an applicant who has timely submitted a completed application form, may appeal the District's prequalification decision by giving notice to the District no later than five (5) business days after receipt of notice of its qualification status. Notice shall be sent to the

District point of contact and address listed above. The appeal shall contain all evidence supporting the applicant's challenge to the District's decision. The District will consider the applicant's evidence and will make a final determination.

Unless an applicant files a timely appeal, the applicant waives any and all rights to challenge the qualification decision of the District, whether by administrative process, judicial process or any other legal process or proceeding. The District reserves the right to resolve appeals before or after the opening of proposals or award of any contract. The date for submission and opening of proposals for a specific project and any subsequent contract award will not be delayed or postponed allowing for completion of an appeal process.

**NOVATO UNIFIED SCHOOL
DISTRICT**

**PREQUALIFICATION
QUESTIONNAIRE**

**FOR THE
MEASURE G BOND
FACILITIES PROJECTS**

CONTACT INFORMATION:

Firm Name: _____ Check One: ☐ Corporation
(as it appears on license) ☐ Partnership
☐ Sole Prop.

Contact Person: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

If firm is a sole proprietor or partnership:

Owner(s) of Company: _____

List all California construction license numbers, classifications and expiration dates of the California contractor licenses held by your firm:

If any of your firm's license(s) are held in the name of a corporation or partnership, list below the names of the qualifying individual(s) listed on the CSLB records who meet(s) the experience and examination requirements for each license:

PART I

ESSENTIAL REQUIREMENTS FOR QUALIFICATION

1. Contractor possesses a valid and current California Contractor's license for the Project.
☐ Yes ☐ No
2. If you are a general contractor, do you have a liability insurance policy with a policy limit of at least \$2,000,000 per occurrence and \$4,000,000 aggregate? If you are a mechanical, electrical or plumbing subcontractor, do you have a liability insurance policy with a policy limit of at least \$1,000,000 per occurrence and \$2,000,000 aggregate?
☐ Yes ☐ No
3. Contractor meets the "skilled workforce" requirements set forth under Education Code section 17407.5.
☐ Yes ☐ No
4. Contractor has current workers' compensation insurance policy as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et. seq.
☐ Yes ☐ No ☐ Contractor is exempt from this requirement, because it has no employees
5. Has your firm completed at least two California public school K-12 construction projects, subject to DSA approval within the last three (3) years?
☐ Yes ☐ No

If "Yes" list on a separate sheet the names of the projects, their location, the owner, the project manager, the project superintendent, contact information, project amount, and the date each project was commenced and completed.
6. Is your firm currently registered with the Department of Industrial Relations and qualified to submit a bid or proposal and to otherwise perform work on a public project pursuant to Section 1725.5 of the Labor Code?
☐ Yes ☐ No
7. Has your contractor's license been revoked or suspended at any time in the last five (5) years, even if later reinstated retroactively?
☐ Yes ☐ No
8. Has a surety firm completed a contract on your behalf, or paid for completion because your firm was default terminated by the project owner within the last five (5) years?
☐ Yes ☐ No

9. At the time of submitting this pre-qualification form, is your firm ineligible to bid on or be awarded a public works contract, or perform as a subcontractor on a public works contract, pursuant to either Labor Code section 1777.1 or Labor Code section 1777.7?

☐ Yes ☐ No

If the answer is “Yes,” state the beginning and ending dates of the period of debarment:

10. At any time during the last five (5) years, has your firm, or any of its owners or officers been convicted of a crime involving the awarding of a contract of a government construction project, or the bidding or performance of a government contract?

☐ Yes ☐ No

PART II

ORGANIZATION, HISTORY, ORGANIZATIONAL PERFORMANCE, COMPLIANCE WITH CIVIL AND CRIMINAL LAWS

A. Current Organization and Structure of the Business

For Firms That Are CORPORATIONS:

- 1a. Date incorporated: _____
- 1b. Under the laws of what state: _____
- 1c. Provide all the following information for each person who is either (a) an officer of the corporation (president, vice president, secretary, treasurer), or (b) the owner of at least ten percent (10%) of the corporation's stock.

Name	Position	Years with Co.	% Ownership	Social Security #

- 1d. Identify every construction firm that any person listed above has been associated with (as owner, general partner, limited partner or officer) at any time during the last five (5) years.
NOTE: For this question, "owner" and "partner" refer to ownership of ten percent (10%) or more of the business, or ten percent (10%) or more of its stock, if the business is a corporation.

Person's Name	Construction Firm	Dates of Person's Participation with Firm

For Firms That Are PARTNERSHIPS:

- 1a. Date of formation: _____
- 1b. Under the laws of what state: _____
- 1c. Provide all the following information for each partner who owns 10 percent (10%) or more of the firm.

Name	Position	Years with Co.	% Ownership	Social Security #

- 1d. Identify every construction company that any partner has been associated with (as owner, general partner, limited partner or officer) at any time during the last five (5) years.

NOTE: For this question, “owner” and “partner” refer to ownership of ten percent (10%) or more of the business, or ten percent (10%) or more of its stock, if the business is a corporation.

Person’s Name	Construction Company	Dates of Person’s Participation with Company

For Firms That Are SOLE PROPRIETORSHIPS:

- 1a. Date of commencement of business: _____
- 1b. Social security number of company owner: _____
- 1c. Identify every construction firm that the business owner has been associated with (as owner, general partner, limited partner or officer) at any time during the last five (5) years.

NOTE: For this question, “owner” and “partner” refer to ownership of ten percent (10%) or more of the business, or ten percent (10%) or more of its stock, if the business is a corporation.

Person’s Name	Construction Company	Dates of Person’s Participation with Company

For Firms That Intend to Make a Bid as Part of a JOINT VENTURE:

- 1a. Date of commencement of joint venture. _____
- 1b. Provide all of the following information for each firm that is a member of the joint venture that expects to bid on one or more projects:

5.	Name of firm	% Ownership of Joint Venture

For All Applicants:

1. Has there been any change in ownership of the firm at any time during the last three (3) years?
NOTE: A corporation whose shares are publicly traded is not required to answer this question.

☐ Yes ☐ No

If “yes,” explain on a separate signed page.

2. Has your firm changed names or license number in the past five (5) years?

☐ Yes ☐ No

If “yes,” explain on a separate signed page, including the reason for the change.

3. Is the firm a subsidiary, parent, holding company or affiliate of another construction firm?
NOTE: Include information about other firms if one firm owns 50 percent (50%) or more of another, or if an owner, partner, or officer of your firm holds a similar position in another firm.

☐ Yes ☐ No

If “yes,” explain on a separate signed page.

4. Are any corporate officers, partners or owners connected to any other construction firms?
NOTE: Include information about other firms if an owner, partner, or officer of your firm holds a similar position in another firm.

☐ Yes ☐ No

If “yes,” explain on a separate signed page.

5. Has any owner, partner or officer of your firm operated a construction firm under any other name in the last five (5) years?

☐ Yes ☐ No

If “yes,” explain on a separate signed page, including the reason for the change.

6. State your firm’s gross revenues for each of the last three (3) years:

Current Year: _____

Previous Year: _____

Year prior to previous year: _____

7. Please attach your most current reviewed or audited year-end financial statement, which must have been prepared by a certified public accountant, within twelve (12) months of submission of this prequalification package. Also, please provide your most current financial statement, which must have been prepared within three (3) months of submission of this prequalification package.¹

¹ Public Contract Code section 20101(e) exempts from this requirement a contractor who has qualified as a small business pursuant to Government Code section 14837(d)(1), if the proposal is “no more than 25 percent (25%) of the qualifying amount provided in section 14837(d)(1).” A contractor seeking to invoke this exemption shall submit the enclosed Small Business Declaration Form. As of January 1, 2001, the qualifying amount is \$10 million, and 25% of that amount is \$2.5 million.

8. Name of accounting firm and primary contact: _____

Address: _____
Telephone: _____
9. How many years has this accounting firm prepared financial statements for you?

B. History of the Business and Organizational Performance

1. How many years has your organization been in business in California as a contractor under your present business name and license number? _____ years
2. Is your firm currently the debtor in a bankruptcy case?
- ☐ Yes ☐ No
- If “yes,” please attach a copy of the bankruptcy petition, showing the case number, and the date on which the petition was filed.
3. Was your firm in bankruptcy or receivership at any time during the last five (5) years?
- ☐ Yes ☐ No
- If “yes,” please attach a copy of the bankruptcy petition, showing the case number and the date on which the petition was filed, and a copy of the Bankruptcy Court’s discharge order, or of any other document that ended the case, if no discharge order was issued.
4. Has any CSLB license held by your firm or its Responsible Managing Employee (RME) or Responsible Managing Officer (RMO) been suspended within the last five (5) years?
- ☐ Yes ☐ No
- If “yes,” please explain on a separate signed sheet.
5. Does your firm currently have a permanent administrative office in Marin County, California that has been in existence for at least two (2) years (jobsite field offices shall not be included)?
- ☐ Yes ☐ No
6. Has your firm completed at least one public works projects in Marin County within the last two (2) years?
- ☐ Yes ☐ No

C. Disputes

1. At any time in the last five (5) years has your firm been assessed liquidated damages after completion of a project under a construction contract with either a public or private owner?

☐ Yes ☐ No

If yes, explain on a separate signed page, identifying all such projects by owner, owner's address, the date of completion of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.

2. In the last five (5) years has your firm, or any firm with which any of your company's owners, officers or partners was associated, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

NOTE: "Associated with" refers to another construction firm in which an owner, partner or officer of your firm held a similar position, and which is listed in response to Part II (A) on this form.

☐ Yes ☐ No

If "yes," explain on a separate signed page. State whether the firm involved was the firm applying for prequalification here or another firm. Identify by name of the company, the name of the person within your firm who was associated with that company, the year of the event, the owner of the project, the project and the basis for the action.

3. In the last five (5) years has your firm been denied an award of a public works contract based on a finding by a public agency that your company was not a responsible bidder?

☐ Yes ☐ No

If "yes," explain on a separate signed page. Identify the year of the event, the owner, the project and the basis for the finding by the public agency.

NOTE: The following two questions refer only to disputes between your firm and the owner of a project. You need not include information about disputes between your firm and a supplier, another contractor, or subcontractor. You need not include information about "pass-through" disputes in which the actual dispute is between a sub-contractor and a project owner. Also, you may omit reference to all disputes about amounts of less than \$50,000.

4. In the past five (5) years has any claim **against** your firm concerning your firm's work on a construction project been **filed in court or arbitration**?

☐ Yes ☐ No

If “yes,” on separate signed sheets of paper identify the claim(s) by providing the project name, date of the claim, name of the claimant, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).

5. In the past five (5) years has your firm made any claim in court or arbitration against a project owner concerning work on a project or payment for a contract?

☐ Yes ☐ No

If “yes,” on separate signed sheets of paper identify the claim by providing the project name, date of the claim, name of the entity (or entities) against whom the claim was filed, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending, or if resolved, a brief description of the resolution).

6. At any time during the past five (5) years, has any surety company made any payments on your firm’s behalf as a result of a default, to satisfy any claims made against a performance or payment bond issued on your firm’s behalf, in connection with a construction project, either public or private?

☐ Yes ☐ No

If “yes,” explain on a separate signed page the amount of each such claim, the name and telephone number of the claimant, the date of the claim, the grounds for the claim, the present status of the claim, the date of resolution of such claim if resolved, the method by which such was resolved if resolved, the nature of the resolution and the amount, if any, at which the claim was resolved.

7. In the last five (5) years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm?

☐ Yes ☐ No

If “yes,” explain on a separate signed page. Name the insurance carrier, the form of insurance and the year of the refusal.

8. In the last five (5) years has your firm held a public works contract on which more than three (3) stop payment notices were served against your firm?

☐ Yes ☐ No

If “Yes” explain on a separate signed page.

D. Criminal Matters and Related Civil Suits

1. 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 agency or entity?

☐ Yes ☐ No

If “yes,” explain on a separate signed page, including identifying who was involved, the name of the public agency, the date of the investigation and the grounds for the finding.

2. Has your firm or any of its owners, officers or partners ever been convicted of a crime involving any federal, state, or local law related to construction?

☐ Yes ☐ No

If “yes,” explain on a separate signed page, including identifying who was involved, the name of the public agency, the date of the conviction and the grounds for the conviction.

3. Has your firm or any of its owners, officers or partners ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?

☐ Yes ☐ No

If “yes,” identify on a separate signed page the person or persons convicted, the court (the county if a state court, the district or location of the federal court), the year and the criminal conduct.

E. Bonding

1. Please attach a notarized statement from an admitted surety insurer (approved by the California Department of Insurance and authorized to issue bonds in the State of California) which states your current bonding capacity.

2. Name of bonding company/surety: _____

Name of surety agent, address and telephone number:

3. List all other sureties (name and full address) that have written bonds for your firm during the last five (5) years, including the dates during which each wrote the bonds:

4. If your firm was required to pay a premium of more than one percent (1%) for a performance and payment bond on any project(s) on which your firm worked at any time during the last five (5) years, state the percentage that your firm was required to pay, identify the project, identify the owner, and identify the dates of the project. You may provide an explanation for a percentage rate higher than one per cent, if you wish to do so.
-

5. During the last five (5) years, has your firm ever been denied bond coverage by a surety company, or has there ever been a period of time when your firm had no surety bond in place during a public construction project when one was required?

☐ Yes ☐ No

If “Yes” provide details on a separate signed sheet indicating the date when your firm was denied coverage and the name of the company or companies which denied coverage; and the period during which you had no surety bond in place.

F. Compliance with Occupational Safety and Health Laws and with Other Labor Legislation Safety

1. Has California Occupational Safety and Health Administration (CAL OSHA) cited and assessed penalties against your firm for any “serious,” “willful” or “repeat” violations of its safety or health regulations in the past five (5) years?

NOTE: If you have filed an appeal of a citation, and the Occupational Safety and Health Appeals Board has not yet ruled on your appeal, you need not include information about it.

☐ Yes ☐ No

If “yes,” attached a separate signed page describing the citations, including information about the dates of the citations, the nature of the violation, the project on which the citation(s) was or were issued, the amount of penalty paid, if any. If the citation was appealed to the Occupational Safety and Health Appeals Board and a decision has been issued, state the case number and the date of the decision.

2. Has the federal Occupational Safety and Health Administration cited and assessed penalties against your firm in the past five (5) years?

NOTE: If you have filed an appeal of a citation and the Appeals Board has not yet ruled on your appeal, or if there is a court appeal pending, you need not include information about the citation.

☐ Yes ☐ No

If “yes,” attach a separate signed page describing each citation.

3. Has the Environmental Protection Agency (EPA) or any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either your firm or the owner of a project on which your firm was the contractor, in the past five (5) years?

NOTE: If you have filed an appeal of a citation and the Appeals Board has not yet ruled on your appeal, or if there is a court appeal pending, you need not include information about the citation.

☐ Yes ☐ No

If “yes,” attach a separate signed page describing each citation.

4. How often do you require documented safety meetings to be held for construction employees and field supervisors during the course of a project?

5. List your firm’s Experience Modification Rate (EMR) (California workers’ compensation insurance) for each of the past three (3) premium years:

NOTE: An EMR is issued to your firm annually by your workers’ compensation insurance carrier.

Current year: _____

Previous year: _____

Year prior to previous year: _____

If your EMR for any of these three (3) years is or was 1.00 or higher you may, if you wish, attach a letter of explanation.

6. Within the last five (5) years has there ever been a period when your firm had employees but was without workers’ compensation insurance or state-approved self-insurance?

☐ Yes ☐ No

If “yes,” please explain the reason for the absence of workers’ compensation insurance on a separate signed page. If “No,” please provide a statement by your current workers’ compensation insurance carrier that verifies periods of workers’ compensation insurance coverage for the last five (5) years. (If your firm has been in the construction business for less than five (5) years, provide a statement by your workers’ compensation insurance carrier verifying continuous workers’ compensation insurance coverage for the period that your firm has been in the construction business.)

G. Prevailing Wage and Apprenticeship Compliance Record

1. Has there been more than one occasion during the last five (5) years in which your firm was required to pay either back wages or penalties for your own firm's failure to comply with the **state's** prevailing wage laws?

NOTE: This question refers only to your own firm's violation of prevailing wage laws, not to violations of the prevailing wage laws by a subcontractor.

☐ Yes ☐ No

If "yes," attach a separate signed page or pages, describing the nature of each violation, identifying the name of the project, the date of its completion, the public agency for which it was constructed; the number of employees who were initially underpaid and the amount of back wages and penalties that you were required to pay.

2. During the last five (5) years, has there been any occasion in which your own firm has been penalized or required to pay back wages for failure to comply with the **federal** Davis-Bacon prevailing wage requirements?

☐ Yes ☐ No

If "yes," attach a separate signed page or pages describing the nature of the violation, identifying the name of the project, the date of its completion, the public agency for which it was constructed; the number of employees who were initially underpaid, the amount of back wages you were required to pay along with the amount of any penalty paid.

3. Provide the **name, address and telephone number** of the apprenticeship program sponsor(s) (approved by the California Apprenticeship Council) from whom you intend to request the dispatch of apprentices to your company for use on any public work project for which you are awarded a contract.

4. If your firm operates its own State-approved apprenticeship program:

- (a) Identify the craft or crafts in which your firm provided apprenticeship training in the past year.
- (b) State the year in which each such apprenticeship program was approved, and attach evidence of the most recent California Apprenticeship Council approval(s) of your apprenticeship program(s).
- (c) State the number of individuals who were employed by your firm as apprentices at any time during the past three (3) years in each apprenticeship and the number of

persons who, during the past three (3) years, completed apprenticeships in each craft while employed by your firm.

5. At any time during the last 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?

NOTE: You may omit reference to any incident that occurred prior to January 1, 1998, if the violation was by a subcontractor and your firm, as general contractor on a project, had no knowledge of the subcontractor's violation at the time they occurred.

☐ Yes ☐ No

If "yes," provide the date(s) of such findings, and attach copies of the Department's final decision(s).

PART III

RECENT CONSTRUCTION PROJECTS COMPLETED

Contractor shall provide information about all public works projects, subject to DSA approval, completed within the last three (3) years. Names and references must be current and verifiable. Use separate sheets of paper that contain all of the following information:

General Contractors: Provide a list of all projects which your firm performed as the general contractor.

MEP Subcontractors: Provide a list of all projects which your firm performed as the general contractor or as a subcontractor. For subcontractor contracts, please provide the general contractor's name and contact information.

Project Name: _____

Location: _____

Owner: _____

Owner Contact (name, email and current phone number):

Architect or Engineer: _____

Architect or Engineer Contact (name, email and current phone number):

Construction Manager (name, email and current phone number):

Inspector of Record (name, email and current phone number):

Description of Project, Scope of Work Performed:

Total Value of Construction (including change orders): _____

Date Construction Commenced: _____

Original Scheduled Completion Date: _____

Time Extensions Granted (number of days): _____

Actual Date of Completion: _____

* * * * *

I, the undersigned, certify and declare that I have read all the foregoing answers to this prequalification questionnaire and know their contents. The matters stated in the questionnaire answers are true of my own knowledge and belief, except as to those matters stated on information and belief, and as to those matters I believe them to be true. I declare under penalty of perjury under the laws of the State of California, that the foregoing is correct.

Dated: _____

Signature

(Printed Name)

RATING SYSTEM

The Scores Needed for Prequalification

To prequalify, a contractor must have a passing score within each of the following two Parts. The specific requirements for the scoring of each section are set forth at the beginning of the section.

Part I Essential Requirements for Qualifications requires that applicants provide “Yes” or “No” answers for all questions.

Part II Organization, History, Organizational Performance, Compliance with Civil and Criminal Laws consists of seven (7) sections. Section A requires responses to all applicable questions. Sections B, C, D, E, F and G are assigned points for each of the possible answers to the questions, for a combined score for each section. A total minimum score of 115 points (out of a maximum score of 140 points) is required for prequalification.

The scoring matrix for Part II (Sections B through G) is the following:

Section B	30 points possible (5 point max score for each question (5 total))
Section C	40 points possible (5 point max score for each question (8 total))
Section D	15 points possible (5 point max score for each question (3 total))
Section E	10 points possible (5 point max score for each question (2 total))
Section F	30 points possible (5 point max score for each question (6 total))
Section G	15 points possible (5 point max score for each question (3 total))

Total 140 points possible (5 point max score for each question (27 total))

PREQUALIFIED – score equal to or greater than 115 points in Part II and all requirements of Part I and Part II Section A met

NOT PREQUALIFIED – score less than 115 points in Part II and/or all requirements of Part I and Part II Section A not met

PART I: ESSENTIAL REQUIREMENTS FOR QUALIFICATION

Contractor must answer “Yes” to questions 1 through 6 below. Any “No” (or blank) answers shall result in a rating of “Not Prequalified.”

		Yes	No
1.	Valid and current contractor’s license		
2.	Liability Insurance with Appropriate Limits General Contractor: \$2,000,000 & \$4,000,000 MEP Subcontractor: \$1,000,000 & \$2,000,000		
3.	Meets “skilled workforce” requirements		
4.	Valid worker’s compensation insurance policy		
5.	At least 2 DSA-approved CA public school K-12 projects w/in 3 years		
6.	Currently registered with DIR		

Contractor must answer No to questions 7 through 10 below. Any Yes (or blank) answers shall result in a rating of “Not Prequalified.”

7.	Contractor’s License Revocation or Suspension within last 5 Years		
8.	Surety completed a project due to contractor default		
9.	Contractor ineligible to bid due to Labor Code violations		
10.	Convicted of a crime involving construction laws		

Part II: ORGANIZATION, HISTORY, ORGANIZATIONAL PERFORMANCE, COMPLIANCE WITH CIVIL AND CRIMINAL LAWS

Section A - Current Organization and Structure of the Business

Information provided in this section must be complete and to the District's satisfaction. Failure to provide all requested information shall result in a "Not Prequalified" rating.

Section B - History of the Business and Organizational Performance

#	Information Requested	Possible Scores	Score
1.	Years in business under same name/license	6 years or more = 5 5 years = 4 4 years = 3 3 years or less = 2	
2.	Debtor in a bankruptcy case	No = 5 Yes = 0	
3.	Bankruptcy last 5 years	No = 5 Yes = 0	
4.	Suspended license last 5 years	No = 5 Yes = 0	
5.	Local Admin Office	Yes = 5 No = 0	
6.	Marin County projects	Yes = 5 No = 0	

(Maximum Possible Score: 30)

II.B Total Score: _____

Section C - Disputes

#	Information Requested	Possible Scores	Score
1.	Liquidated Damages in last 5 years	No = 5 1 or 2 times = 3 2 times or more = 0	
2.	Debarred, Disqualified, removed or prevented from bidding in last 5 years	No = 5 Yes = 0	
3.	Denied bid on grounds of non-responsibility	No = 5 Yes = 0	
4.	Claim against firm in court or arbitration	No = 5 1-2 instances = 3 More than 2 = 0	
5.	Made claim against owner in court or arbitration	No = 5 1 instance = 3 More than 2 = 0	

6.	Surety payments on contractor's behalf	No = 5 1 instance = 3 More than 1 = subtract 5	
7.	Insurance carrier refused to renew insurance policy	No = 5 Yes = 0	
8.	Project with more than 3 stop payment notices in last 5 years	No = 5 Yes = 0	

(Maximum Possible Score: 40)

II.C Total Score: _____

Section D - Criminal Matters and Related Civil Suits

#	Information Requested	Possible Scores	Score
1.	Liable or convicted of crime or civil suit involving false claim	No = 5 Yes = subtract 5	
2.	Convicted of crime involving construction law	No = 5 Yes = subtract 5	
3.	Convicted of a crime involving fraud, dishonesty, etc.	No = 5 Yes = subtract 5	

(Maximum Possible Score: 15)

II.D Total Score: _____

Section E - Bonding

****Questions 1-3:** Information provided in these questions must be complete to the District's satisfaction. Failure to provide all requested information shall result in a "Not Prequalified" rating.

#	Information Requested	Possible Scores	Score
4.	Required to pay a premium	No = 5 1-1.25% premium = 4 1.25-1.5% premium = 3 More than 1.5% = 0	
5.	Denied coverage by surety	No = 5 Yes = 0	

(Maximum Possible Score: 10)

II.E Total Score: _____

Section F - Compliance with OSHA and Other Labor Legislation Safety

#	Information Requested	Possible Scores	Score
1.	CAL OSHA violations last 5 years	No = 5 1 instance = 4 2 instances = 3 3+ instances = 0	
2.	Federal OSHA citations last 5 years	No = 5 1 instance = 4 2 instances = 3 3+ instances = 0	
3.	EPA, Air Quality or RWQCB citations last 5 years	No = 5 1 instance = 4 2 instances = 3 3+ instances = 0	
4.	Safety meetings	Weekly = 5 Monthly = 3 Quarterly = 1 None = 0	
5.	Experience Modification Rate	EMR .95 or less = 5 .95 – 1 = 3 Other = 0	
6.	Workers' comp lapse in last five years	No = 5 Yes = 0	

(Maximum Possible Score: 30)

II.F Total Score: _____

Section G - Prevailing Wage and Apprenticeship Compliance Record

****Questions 3 & 4:** Information provided in these questions must be complete to the District's satisfaction. Failure to provide all requested information results in a "Not Prequalified" rating.

#	Information Requested	Possible Scores	Score
1.	Required to pay back wages under State prevailing wage law	No = 5 1 instance = 4 2 instances = 3 3+ instances = 0	
2.	Required to pay back wages under Federal prevailing wage law	No = 5 1 instance = 4 2 instances = 3 3+ instances = 0	
5.	Apprentice violations	None = 5 1 instance = 4 2 instances = 3 3+ instances = 0	

(Maximum Possible Score: 15)

II.G Total Score: _____

PREQUALIFICATION EVALUATION SUMMARY:

Part I All information answered satisfactorily? ☐ Yes ☐ No

Part II.A All information answered satisfactorily? ☐ Yes ☐ No

Part II.B Total Score _____

Part II.C Total Score _____

Part II.D Total Score _____

Part II.E Total Score _____

Part II.F Total Score _____

Part II.G Total Score _____

Grand Total: _____
(Maximum Possible Grand Total = 140)

RATING

☐ PREQUALIFIED ☐ NOT PREQUALIFIED

If Grand Total for Part II (Sections B through G) is 115 or greater, and Contractor met the requirements of Part I and Part II Section A, then Contractor is **PREQUALIFIED**.

If Grand Total for Part II (Sections B through G) is less than 115 and/or Contractor did not meet the requirements of Part I and Part II Section A, then Contractor is **NOT PREQUALIFIED**.